Kansas Department of Agriculture Division of Water Resources

PERMIT OF NEW APPLICATION WORKSHEET

1. File Number: 49,424	2. Status Change Date:	3. Field Office:	4. GMD: 0						
		Dismiss by Request/Failure	to Return						
6. Enclosures: Check Valve N of C Form	n ⊠ Water Tube	☑ Driller Copy	☑ Meter						
7a. Applicant(s) Person ID 4 New to system ☐ Add Seq#		ner(s) ystem [Person IDAdd Seq#						
CITY OF ELLSWORTH PO BOX 163 ELLSWORTH KS 67439									
7b. Landowner(s) Person ID _ New to system ☐ Add Seq# _	7d. Misc.	ystem □	Person ID						
7a.	209 SOUT	ROSS RIGHTS INVESTIGATI TH ASH ST DN KS 67669	VE SERVICE LLC						
8. WUR Correspondent Person ID _ New to system ☐ Add Seq# _ Overlap File (s) WUC Notarized WUC Agree ☐ Yes ☐ No	9. Use of Wa	⊠ Groundwater □	Yes ⊠ No Surface Water DEW ⊠ MUN						
7a.	☐ STK ☐ HYD DRG ☐ IND SIC:	☐ WTR PWR ☐	DOM CON ART RECHRG R:						
10. Completion Date: 12/31/2017 11. Pe	erfection Date: 12/31/2	036 12. Exp D	ate:						
13. Conservation Plan Required? ☐ Yes ☒ No Date Re									
14. Water Level Measuring Device? Yes No Da	vate to Compiy.	Date VVLIVID INST	alleu.						
Date Prepared: 8/15/2016 By: DWS Date Entered: 8/29/2016 By: LCM									

File No.	49,424	,	15. Formatio	on Code	e: 113		Drain RIVE	age Bas	sin: SM	/IOKY	HILL		Co	ounty:	EW		Sp	ecial U	se:		Stream	า:		
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ENT 2	35573	NE NE N	E 29	1	5 8V	V	48	898	290) (B	att 2	of 4)												
ENT 8	5574	SE NE NI	E 29	15	5 8V	V	46	618	56	(Ba	att 3 c	of 4)												
ENT≼	<i>5</i> 57 <i>5</i>	SE NE NI	E 29	15	5 8V	V	45	516	60	(Ba	att 4 c	of 4)						17.						
18. Stor	8. Storage: RateNF Quantityac/ft Additional RateNF Additional Quantityac/ft																							
	19. Limitation:																							
20. Met	er Required	? ⊠ Yes 🛚	No	To k	oe installe	d by		12	/31/2	017			Da	ite Ac	ceptal	bie Me	eter Inst	alled _						
21. Pla T	ce of Use				NE1/4			NW3	<u>-</u> 1/4			SW¼			· · · · · · · · · · · · · · · · · · ·	s	E¼		Total	Owner	Cho	g? NO	Overlap	Files
MOD DEL ENT	PUSE	STR	ID	NE 1/4	NW SV 1/4	V SE 1/4	NE 1/4	NW 1/4	SW S	SE ¼		IW SI	W /4	SE 1/4	NE ¼	NW 1/4	SW 1/4	SE ¼						
	20960																			7a	N	o S	EE BELO	W*
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Comme	nts:	PU OVE	RLAP WI	TH F	ILE NC	S. EV	N-02	; 12,8	85; 3	88,77	75; 38	3,776	; 4	9,42	4; &	49,	510.							

KANSAS DEPARTMENT OF AGRICULTURE Division of Water Resources <u>M E M O R A N D U M</u>

TO: Files DATE: August 15, 2016

FROM: Doug Schemm RE: Applications, File Nos. 49,424 and 49,510

The City of Ellsworth has filed the above referenced applications proposing to appropriate groundwater for municipal use. The applications are located in Sections 28 and 29, Township 15 South, Range 8 West in Ellsworth County. For both applications, the City has provided Temporary Easement agreements with the landowners showing that they have the right to access the properties for test hole drilling. In addition, Application, File No. 49,510 was signed by a representative of the City stating that they have access to the point of diversion. There are no overlapping water rights on the points of diversion.

The place of use overlaps with the City's senior water rights, Vested Water Right, File No. EW-002; and Water Right, File Nos. 12,885; 38,775; and 38,776 for municipal use. File No. EW-002 and Water Right, File No. 12,885 are a complete overlap in point of diversion, which consists of 7 wells in a well field on the west side of the city. File No. EW-002 is authorized a blanket quantity of 60 million gallons, while Water Right, File No. 12,885 has individual quantities assigned per well, with a limitation not to exceed 160 million gallons when combined with File No. EW-002. Note that Water Right, File Nos. 38,775 and 38,776 each overlap one of the existing wells in the well field. These files were recently certified (May 23, 2016) and both are limited to 169.5 million gallons when combined with the City's senior files. Water Right, File No. 38,775 is authorized 45.6 million gallons (only 9.5 million gallons additional), and Water Right, File No. 38,776 is authorized 46.013 million gallons (0 additional).

The City has provided a spread sheet with projected water needs for the next 20 years, with an estimated quantity of 188.32 million gallons. As described above, the City's current authorized quantity under their senior files is 169.5 million gallons, so the new applications would provide 18.82 million gallons additional quantity (188.32 – 169.5). In addition, the new applications will provide flexibility in pumping. Based on safe yield analysis (see below), Application, File No. 49,424 requested quantity was reduced to 104.79 million gallons. Application, File No. 49,510 will be approved for the requested 162.9 million gallons, however, as noted above, these junior files will be limited to the total justified quantity of water of 188.32 million gallons when combined. The Kansas Water Office (KWO) projection shows a very similar value with an estimate of 186 million gallons by 2040.

The applicant identified two potential domestic wells within one-half (½) mile of the proposed wells, based on data in the KGS WWC-5 records, but none within 1,000 feet. As shown on the map, these applications are located adjacent to the City of Ellsworth. In keeping with standard protocol, the applicant chose to use a public notice to inform nearby well owners. The public notice was published in the Ellsworth County Independent/Reporter on June 30, July 7, and July 14, 2016, with a comment period ending on July 29, 2016. No responses of any kind were received to the public notice. However, a letter and subsequent telephone call, was received from a nearby domestic well owner (Marvin Bush). Because both Mr. Bush and Robert Blackburn were identified as having domestic wells nearby, notification letters were sent directly to both of them on August 1, 2016. Mr. Bush was concerned of possible impact to his domestic well, which he said was 55 feet in total depth and 25 feet to the water table. The well is used for watering the garden and trees, with the house being supplied by the city water system. A response letter was sent to Mr. Bush on August 9, 2016.

Per K.A.R. 5-4-4, new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water (aquifer) for these pending applications appears to be the Smoky Hill River alluvium. The well logs indicate that they penetrated the top of the unconfined Dakota aquifer system. However, Scott Ross (City's consultant) stated that the wells would be completed in the alluvium only. Since the source is the alluvium, the minimum well spacing is 1,320 feet from any existing non-domestic well, and 660 feet from any existing domestic well in the same source of supply. The nearest domestic well is located over 1,000 feet away, while the nearest non-domestic well is the applicant's pending applications spacing to each other, which is over 1,600 feet apart. Therefore, the points of diversion under these files comply with minimum well spacing criteria in K.A.R. 5-4-4.

City of Ellsworth File Nos. 49,424 and 49,510 Page 2

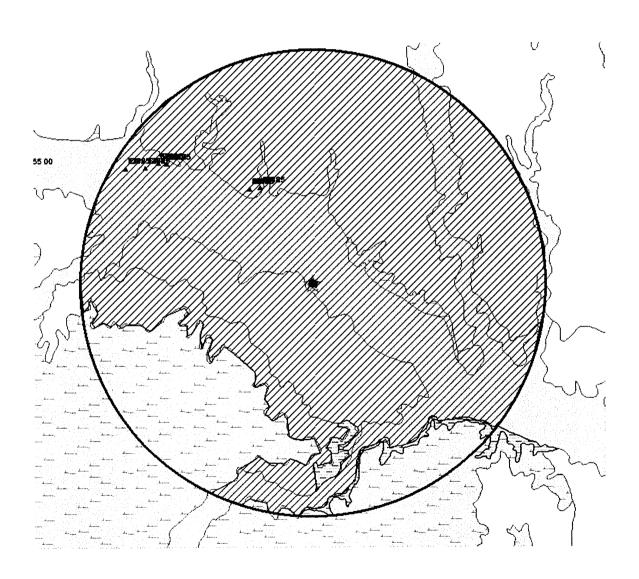
Area well logs and historical geologic data, indicates that the alluvial aquifer does not extend into the southwestern and southern portions of the two mile area for each application. Therefore, per K.A.R. 5-3-11, which applies to safe yield evaluations for all unconfined aquifers, the area of consideration is the extent of the alluvial aquifer. For File No. 49,424, the aquifer extent was determined to be 6,576 acres. With a recharge of 1.9 inches and 75% available, safe yield was determined to be 780.9 acre-feet. Prior appropriations total 459.28 acre-feet, leaving 321.6 acre-feet available. The requested quantity on File No. 49,424 was reduced to comply with safe yield. For File No. 49,510, the aquifer extent was determined to be 6,707 acres. With a recharge of 1.9 inches and 75% available, safe yield was determined to be 796.5 acre-feet. Prior appropriations total 147.05 acre-feet, leaving 649.41 acre-feet available, and this pending application meets safe yield. The only water rights within a two-mile radius circle, are the City's other senior municipal files.

In accordance with K.S.A. 82a-706c, the Chief Engineer retains full authority to require any water user to install meters, gages, or other measuring devices, which devices he or she or his or her agents may read at any time. Water flowmeter requirements are further described in K.A.R. 5-1-4 through K.A.R 5-1-12.

In an e-mail message, dated July 26, 2016, Kelly Stewart, Water Commissioner of the Stockton Field Office, indicated he had no objection to the approval of the referenced applications, File Nos. 49,424 and 49,510. Please note that the applicant has signed and submitted MDS forms, however both of these files are sourcing the alluvium downstream of the gage at Ellsworth.

Based on the above discussion, the area is open to new appropriations, the applications meet safe yield and well spacing criteria, and they will provide flexibility in pumping points for the City of Ellsworth, it is recommended that the referenced applications be approved.

Doug Schemm Environmental Scientist Topeka Field Office





1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700 900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

August 31, 2016

FILE COPY

CITY OF ELLSWORTH % CAREY HIPP CITY ATTORNEY PO BOX 163 ELLSWORTH KS 67439

Re: Appropriation of Water, File Nos. 49,424 and 49,510

Dear Mr. Hipp:

There are enclosed permits to appropriate water authorizing you to proceed with construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a), to divert such unappropriated water as may be available from the sources and at the locations specified in these permits, and to use it for the purpose and at the location described in these permits.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in these permits. Water meters are required and you must install them prior to water being put to beneficial use in order for you to maintain accurate records of water use. The meters should be used to provide the information required on the annual water use reports. Failure to notify the Chief Engineer of the Division of Water Resources of the completion of the diversion works within the time allowed, or within any authorized extension of time thereof, will result in the dismissal of these permits. Enclosed are forms which may be used to notify the Chief Engineer that the proposed diversion works have been completed for each file.

All requests for extensions of time to complete diversion works, or to perfect appropriations, must be submitted to the Chief Engineer before the expiration of time originally set forth in these permits to complete diversion works or to perfect an appropriation. If for any reason, you require an extension of time, you must request it before the expiration of time set forth in these permits. Failure to comply with this regulation will result in the dismissal of your permits or your water rights. Any request for an extension of time shall be accompanied by the required statutory fee, which is currently \$100.00 per file number. There is also enclosed an information sheet setting forth the procedure to obtain Certificates of Appropriation which will establish the extent of your water rights.

If you have any questions, please contact our office. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Change Application Unit Superviso

Water Appropriation Program

BAT:dws

Enclosures

pc:

Stockton Field Office

Scott Ross



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

APPROVAL OF APPLICATION FILE COPY and PERMIT TO PROCEED

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, File No. 49,424 of the applicant

CITY OF ELLSWORTH
% CAREY HIPP CITY ATTORNEY
PO BOX 163
ELLSWORTH KS 67439

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

- 1. That the priority date assigned to such application is July 10, 2015.
- 2. That the water sought to be appropriated shall be used for municipal use within the City of Ellsworth, Kansas and immediate vicinity.
- 3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of a battery of four (4) wells with a geographic center located in the Northeast Quarter of the Northeast Quarter (NE¼ NE¼ NE½) of Section 29, more particularly described as being near a point 4,746 feet North and 201 feet West of the Southeast corner of said section, in Township 15 South, Range 8 West, Ellsworth County, Kansas, located substantially as shown on the topographic map accompanying the application.
- 4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **800** gallons per minute (1.78 c.f.s.) and to a quantity not to exceed **104.79 million gallons** (321.6 acre-feet) of water for any calendar year.
- 5. That installation of works for diversion of water shall be completed on or before **December 31**, **2017** or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.
- 6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before <u>December 31, 2036</u> or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

File No. 49,424 Page 2 of 4

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

- 8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.
- 9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.
- 10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.
- 11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.
- 12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.
- 13. That an acceptable water flow meter shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. This water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).
- 14. That the applicant shall maintain accurate and complete records from which the quantity of water rediverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.
- 15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.
- 16. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.
- 17. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.
- 18. That this permit is further limited such that all wells shall be located within a three hundred (300) foot radius circle, in the same local source of supply, and shall supply water to a common distribution system.

19. That the permit holder shall submit a progress report to the office of the Chief Engineer by March 1, following the tenth full calendar year after the permit was issued. The progress report must be submitted on a form prescribed by the Chief Engineer, and shall compare annual water use projected in the original application with the actual annual water use for the prior 10 years. The progress report must document compliance with the approved conservation plan, contain sufficient details to determine the extent of perfection of the water right during the previous ten years, and demonstrate how the water right, in association with other water rights. meets the municipal use need.

20. That the quantity of water approved under this permit is further limited to the quantity which combined with Vested Water Right, File No. EW-002, and Water Right, File Nos. 12,885; 38,775; and 38,776, will provide a **total not to exceed 188.32 million gallons** (577.9 acre-feet) of water per calendar year for municipal use as described herein.

This Order shall become a final agency action, as defined by K.S.A. 77-607(b), without further notice to the parties, if a request for hearing or a petition for administrative review is not filed as set forth below.

Request for Hearing. According to K.A.R. 5-14-3(c), any party who desires a hearing must submit a request within 15 days after the date shown on the Certificate of Service attached to this Order. Filing a request for a hearing will give you the opportunity to submit additional facts for consideration, contest any findings made by the Chief Engineer, or present any other information you believe should be considered in this matter. A timely-filed request for hearing will stay the deadline for requesting administrative review of this Order pending the outcome of the hearing.

Petition for Review. The applicant, if aggrieved by this Order, may petition for administrative review, pursuant to K.S.A. 82a-711(c) and K.S.A. 82a-1901(a). The petition must be filed within 30 days after the date shown on the Certificate of Service attached to this Order and must set forth the basis for the review, unless stayed by the timely filing of a request for hearing.

Any request for hearing or petition for administrative review shall be in writing and shall be submitted to the attention of: Chief Legal Counsel, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, Fax: (785) 564-6777.

Ordered this 20 day of August, 2016, in Topeka, Shawnee County, Kansas.

Lane P. Letourneau, P.G.

Program Manager

Water Appropriation Program
Division of Water Resources
Kansas Department of Agriculture

Page 3 of 4

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this day of Agriculture.

P. Letourneau, P.G., Program Manager, Division of Water Resources, Kansas Department of Agriculture.



Notary Public

CERTIFICATE OF SERVICE

On this 31 day of Approval of Application and Permit to Proceed, File No. 49,424, dated Application and Permit to Proceed, Pr

CITY OF ELLSWORTH PO BOX 163 ELLSWORTH KS 67439

With photocopies to:

SCOTT E ROSS WATER RIGHTS INVESTIGATIVE SERVICE LLC 209 SOUTH ASH ST STOCKTON KS 67669

Stockton Field Office

Division of Water Resources

APPLICATION APPLIC	ON COMPLETE
Reviewer	

For Office Use Only:

THE STATE



KANSAS DEPARTMENT OF AGRICULTURE

Jackie McClaskey, Secretary of Agriculture

DIVISION OF WATER RESOURCES

David W. Barfield, Chief Engineer

File Number 49424
This item to be completed by the Division of Water Resources.

WATER RESOURCES
RECEIVED

APPLICATION FOR PERMIT TO APPROPRIATE WATER FOR BENEFICIAL USE

Filing Fee Must Accompany the Application (Please refer to Fee Schedule attached to this application form.)

To the Chief Engineer of the Division of Water Resources, Kansas Department of Agriculture,

JUL 1 0 2015 11:09

1320 Research Park Drive, Manhattan, Kansas 66502: Name of Applicant (Please Print): City of Ellsworth C/O Carey Hipp, City Attorney Address: PO Box 163 State KS Zip Code 67439 City: Ellsworth Telephone Number: (785-) 472-5566 2. The source of water is: ☐ surface water in OR groundwater in Smoky Hill River Basin (drainage basin) Certain streams in Kansas have minimum target flows established by law or may be subject to administration when water is released from storage for use by water assurance district members. If your application is subject to these regulations on the date we receive your application, you will be sent the appropriate form to complete and return to the Division of Water Resources.

321.6*

The maximum quantity of water desired is 500 acre-feet OR 162.9 mgy gallons per calendar year, Water Resources. to be diverted at a maximum rate of 800 GPM gallons per minute OR 1.78 cfs cubic feet per second. Once your application has been assigned a priority, the requested maximum rate of diversion and maximum requested quantity of water under that priority number can NOT be increased. Please be certain your requested maximum rate of diversion and maximum quantity of water are appropriate and reasonable for your proposed project and are in agreement with the Division of Water Resources' requirements. The water is intended to be appropriated for (Check use Intended): (a) ☐ Artificial Recharge (b) ☐ Irrigation (c) ☐ Recreational (d) Water Power (e) Industrial (f) x Municipal (g) ☐ Stockwatering (h) Sediment Control (i) Domestic (j) Dewatering (k) Hydraulic Dredging (I) Fire Protection (m) ☐ Thermal Exchange (n) ☐ Contamination Remediation YOU MUST COMPLETE AND ATTACH ADDITIONAL DIVISION OF WATER RESOURCES FORM(S) PROVIDING INFORMATION TO

* Reduced quantity to meet safe yield. Agreed to by Scott Ross in 6/27/16 discussion. DWS/pwR

SUBSTANTIATE YOUR REQUEST FOR THE AMOUNT OF WATER FOR THE INTENDED USE REFERENCED ABOVE.

F.O. 3 GMD -O- Meets K.A.R. 5-3-1 (YES / NO) Use MUN Source G/S County EW By KAB Date 7/10/15
Code RE3 Fee \$ 340- TR # Receipt Date Check # 147 (284

16001254

SCANNED

7/14/2015 LLM

* See 6/2-	ille-mail	from	Scott	Ross.	DWS I DWR	6/27/16	rile No. <u>49,424</u>
* 5.	The location of	the prop	osed wel	is, pump	sites or other	works for diversi	on of water is: <u>60 days to locate</u>
	acre tra specific	ct, unless ally descr	you spe ibed, mir	cifically raimal lega	equest a 60 da al quarter sect	ay period of time ion of land. <u>Batte</u>	
GOO-CTR	(A) One in the	NE q	uarter of	the <u>NE</u>	_ quarter of the	e <u>NE</u> quarter of S	ection 29, more particularly described
	as being i	near a po	int 414	s feet No	rth and <u>~0)</u>	feet West of the	e Southeast corner of said section, in
	Township	15 South	, Range	8 West,	in Ellsworth		County, Kansas.
18/4							er of Section <u>29</u> , more particularly West of the Southeast corner of said
•					_	_	one), <u>E W</u> County, Kansas.
284	(C) One in the	NE O	quarter o	f the N	guarter of	the <u>NE</u> quarte	er of Section <u>29</u> , more particularly
234	described	as being	near a	point 489	8 feet North	and 29 0 feet	West of the Southeast corner of said
		-					one), <u>EW</u> County, Kansas.
				_			
3014							er of Section <u>29</u> , more particularly
U		-	-				West of the Southeast corner of said
	section, in	Townshi	p_15	South, R	ange <u>8</u> E	ast/Vest circle	one), <u>EW</u> County, Kansas.
	wells, except th	at a singl	e applica	ation may	include up to t	our wells within a	ed for each proposed well or battery o a circle with a quarter (¼) mile radius ir n rate of 20 gallons per minute per well
	four wells in the	e same lo a total ma	cal sourc	e of supp	oly within a 300) foot radius circl	pump by a manifold; or not more than e which are being operated by pumps and which supply water to a common
6.	The owner of the	ne point o	f diversion	on, if othe	r than the app	licant is (please	print):
	See attached of	Irilling agr	eement				
				(name	e, address and t	telephone number)
	landowner's au	thorized r	epresent	tative. Pr	ovide a copy o		f diversion from the landowner or the d, lease, easement or other document atement:
easement for access puslour 6127/16		er or the la	andowne	r's autho			bed in this application from the under penalty of perjury that the
POL CLOWR	•	d on			. 20		
DW116						Apı	plicant's Signature
61211							tive of whether they are the landowner.
	Failure to comp be returned to			the appli	cation will caus	se it to be unacce	eptable for filing and the application will
7.	The proposed	project fo	r diversio	n of wate	er will consist o	of <u>a battery of 4</u> (numl	wells and distribution system ber of wells, pumps or dams, etc.)
	and will be com	pleted (b	y) <u>July 2</u>	2015			vas or will be completed)
8.	The first actual (Mo/Day/Year)	application	on of wat	er for the	·	-	or is estimated to be July 2015

* 4 g4 SENENE 4516N& 60'W, Sec. 29, 155, 8W, Ellsworth Co.

9.	Will pesticide, fertilizer, or other foreign substance be injected into the water pumped from the diversion works?
	☐ Yes x☐ No If "yes", a check valve shall be required.
	All chemigation safety requirements must be met including a chemigation permit and reporting requirements.
10.	If you are planning to impound water, please contact the Division of Water Resources for assistance, prior to submitting the application. Please attach a reservoir area capacity table and inform us of the total acres of surface drainage area above the reservoir.
	Have you also made an application for a permit for construction of this dam and reservoir with the Division of Water Resources? ☐ Yes x☐ No
	If yes, show the Water Structures permit number here None applicable
	If no, explain here why a Water Structures permit is not required no water will be impounded
11.	The application <u>must</u> be supplemented by a U.S.G.S. topographic map, aerial photograph or a detailed plat showing the following information. On the topographic map, aerial photograph, or plat, identify the center of the section, the section lines or the section corners and show the appropriate section, township and range numbers. Also, please show the following information:
	(a) The location of the proposed point(s) of diversion (wells, stream-bank installations, dams, or other diversion works) should be plotted as described in Paragraph No. 5 of the application, showing the North-South distance and the East-West distance from a section line or southeast corner of section.
	(b) If the application is for groundwater, please show the location of any existing water wells of any kind within ½ mile of the proposed well or wells. Identify each existing well as to its use and furnish the name and mailing address of the property owner or owners. If there are no wells within ½ mile, please advise us.
	(c) If the application is for surface water, the names and addresses of the landowner(s) ½ mile downstream and ½ mile upstream from your property lines must be shown.
	(d) The location of the proposed place of use should be shown by crosshatching on the topographic map, aerial photograph or plat.
	(e) Show the location of the pipelines, canals, reservoirs or other facilities for conveying water from the point of diversion to the place of use.
	A 7.5 minute U.S.G.S. topographic map may be obtained by providing the section, township and range numbers to: Kansas Geological Survey, 1930 Constant, Campus West, University of Kansas, Lawrence, Kansas 66047.
12.	List any application, appropriation of water, water right, or vested right file number that covers the same diversion points or any of the same place of use described in this application. Also list any other recent modifications made to existing permits or water rights in conjunction with the filing of this application.
	Vested Right EW 002; Water Right File No. 12,885; Water Right File No. 38,775 and Water Right File No. 38,776 de 100 49,510.
	7,
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гіне ічо. <u>49,424</u>

13.	Furnish the following well inf has not been completed, given					undwater. If the well
	Information below is from:	☐ Test holes	□ Well a	as completed	☐ Drillers I	og attached
	Well location as shown in pa	aragraph No.	(A)	(B)	(C)	(D)
	Date Drilled					
	Total depth of well			-		
	Depth to water bearing form	ation _		-		
	Depth to static water level					
	Depth to bottom of pump int	take pipe				
14.	The relationship of the ap		proposed p	ace where the	e water will	be used is that of
15.	The owner(s) of the propert	y where the wate Arty Hypa (name, addr	r is used, if o	other than the a Box 83 2 phone number	applicant, is (pl SWOY) 785 - 47	lease print): 1 <u>4 KS 67439</u> 12-3186
		(name, addr	ess and tele	phone number)	
16.	The undersigned states that this application is submitted	in good faith.				-
	Dated at Ellsworth	, , Kansas	, this	day of	(month)	, 2015 (vear)
	(Applicate Signatur				((3-2-7)
Ву	City Attorney (Agent or Officer Signal	ature)	·			
	(Agent or Officer - Preas	se Print)				
Assisted	by Scott E. Ross	<u>C</u>	Consultant	EF W.M - \	Date:	
			(0	ffice/title)		

Schemm, Doug

From:

Stewart, Kelly

Sent:

Tuesday, July 26, 2016 10:10 AM

To:

Schemm, Doug

Cc:

Billinger, Mark; Hageman, Revecca

Subject:

RE: City of Ellsworth 49,424 and 49,510

Doug,

Yes, the City was interested in finding more water that was not subject to MDS.

I have no objection to the approval of these applications.

Kelly

From: Schemm, Doug

Sent: Tuesday, July 26, 2016 10:04 AM

To: Stewart, Kelly < Kelly.Stewart@ks.gov >
Cc: Billinger, Mark < Mark.Billinger@ks.gov >
Subject: City of Ellsworth 49,424 and 49,510

Good Morning,

So is the purpose of these applications to be allowed to pump water that is not subject to MDS because they are below the gage? Anyway, these are ready. No response to public notice. They are only getting 18.82 million additional when combined with senior files.

Thanks, Doug

City of Ellsworth projected water needs for the next 20 years at an average of 130 GPCD and 137 GPCD

Current Senoir Water Rights Total: 160,058,011 gallons Current Junior Water Rights Total 30,212,904 gallons

Year	Population	Water Needs at 130 GPCD	Water Needs at 137 GPCD
1	3120	148044000	156015600
2	3151	149514950	157565755
3	3182	150985900	159115910
4	3214	152504300	160716070
5	3246	154022700	162316230
6	3278	155541100	163916390
7	3314	157249300	165716570
3	3344	158672800	167216720
ç	3377	160238650	168866885
10	3411	161851950	170567055
11	3445	163465250	172267225
12	3479	165078550	173967395
13	3514	166739300	175717570
14	3549	168400050	177467745
15	3584	170060800	179217920
16	3620	171769000	181018100
17	3656	173477200	182818280
18	3692	175185400	184618460
19	3729	176941050	186468645
20	3766	178696700	188318830

GPCD Gallons Per Capita Per Day Total Authorized Quantity w/ both Junior and Senior Rights Junior and Senior to Minimum Desirable Streamflow Exceeds Rights Senior to MDS

190,270,915 Gallons

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OFFOR	er <u>Test Hale #a</u> of Ellaworth ED 7-21-15	SECTION NO.	- + +
DEPTH	FORMATION THICKNESS	FORMATION	REMARKS
0-3		Top Soil	
3-13		Class-Silky	
13-15		Fire Sand	
15-21		Course Sand	
21-25		Wenthered Shale w/ hues	of Course Sand
25-30		Red Sandstone w/ laurs	of Extra Fine Sand
30-41-		Red Santstone	·
41-45		brey Clay-light	
	WATER LEVEL TER SAMPLES TO TO TO	PPM CHLORIDE	OTHER TESTS

TEMPORARY EASEMENT

THIS AGREEMENT, made and entered into this ______, day of _______, 2015, by and between Cheryl L. Weber hereinafter referred to as "Weber" and the City of Ellsworth a Municipal Corporation, Ellsworth, Kansas, hereinafter referred to as "City."

WITNESSETH:

IN CONSIDERATION of the covenants made each to the other, as herein set forth, the parties make certain agreements regarding the following property owned by Weber in Ellsworth County, Kansas:

A fractional part of the NW/4 of 28-15 S-8 W of the 6th P.M., in Ellsworth County, Kansas, described as follows: Commencing at the intersection of the South line of the right of way of the Union Pacific Railroad Company and the West line of the NW/4 of 28-15S-8W of the 6th P.M. running thence South on section line 29.56/100 chains to the SW corner of said quarter section, thence East on quarter section line 12.07 chains; thence North 25 degrees and 30 degrees East 3.67 chains; thence North 62 degrees West 12.16 chains; thence North 2.23 chains; thence North 66 degrees West 2.9 chains, to a point 25 links from the West line of said quarter section; thence North parallel with and 25 links from the West line of said quarter section 17.25 chains to the right of way of the Union Pacific Railroad Company; thence North 52 degrees West along said right of way 26 links to the place of beginning-containing 5 and 28/100 acres of land exclusive of the river bed; ALSO a tract of land described as follows: Commencing at a point 29.45 chains North of the Southwest corner of the NW/4 of 28-15 S-8 W of the 6th P.M. and 200 feet South of the center of the Union Pacific Railroad Company's right of way and 25 links East of the West section line of said section; thence South 50 degrees East parallel with Union Pacific Railroad Company's right of way 13.75 chains; thence South 2 degrees 10 feet East 17 chains; thence North 62 degrees West nine 98/100 chains; thence North 2.23 chains; thence North 66 degrees West 2.98 chains; thence North 25 links, East of said section line Var. 10 degrees East 17 41/100 chains to the place of beginning.

AND

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All of her interest in and to the East Half (E/2) of Section Twenty-Nine (29), Township Fifteen (15) South, Range Eight (8) West of the 6th P.M., in Ellsworth County, Kansas.

- 1. Weber grants, bargains and conveys unto City temporary access over and across the above real estate for the purpose of exploring for water. City will pay Weber the sum of Five Hundred Dollars (\$500.00) for this temporary access upon execution of this agreement and prior to making any use thereof.
- 2. City shall have access to the above described real estate owned by Weber for the purpose of exploring for water, including the right to drill test holes or test wells. Weber shall be compensated at the rate of Five Hundred Dollars (\$500.00) per test hole or test well that is drilled. City shall notify Weber of the approximate date that the test well holes will be drilled. City shall also notify Weber of any test results received on each of the test wells or test holes completed.
- 3. City shall pay Weber for damages to growing crops caused by City while exploring for water or drilling for test holes or test wells in the designated area. City will pay Weber an amount equal to the area damaged in acres, multiplied by the Farm Service Agency established yield per acre for the crop on the damaged location multiplied by the closing commodity price posted by the Ellsworth COOP elevator, at the close of business on the first Wednesday following the conclusion of City's testing operations.
- 4. This temporary access shall continue for one year from the date this agreement is executed. The City shall ensure all test holes, wells and other borings are properly plugged.

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Ę	5.	All a	greer	nents	s here	in co	ntaine	ed sh	nall	run	with	the	land.	The	terms	and
provisio	ns he	ereof	shall	be b	inding	upor	n and	inur	e to	the	ben	efit	of the	succ	essors	and
assigns	of the	e res	pectiv	e pai	rties h	ereto.										

			My J. J. Wels
	. ()		Cheryl L. Weber
(alitornia		
STATE OF KA	NSAS)	
	A1 Û) SS:	
COUNTY OF	Alameda)	

BE IT REMEMBERED, that on this 24 day of ________, 2015, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Cheryl L. Weber who is personally known to me to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My Appointment Expires:

05/09/2017

Notary Public Michael Lan An See seal attach

City of Ellsworth

John J. Whitmer Mayor

Attested:

Patti Booher, City Clerk

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JUL 1 0 2015

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SHERMAN, HOFFMAN & HIPP, LC

126 North Douglas Mailing Address: P. O. Box 83 Ellsworth, Kansas 67439-0083

John Sherman Gregory R. Hoffman Carey Hipp Patrick G. Hoffman

TELEPHONE: 785-472-3186 FAX: 785-472-4767

July 7, 2015

Chief Engineer
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Dear Chief Engineer:

Please find enclosed an Application for Permit to Appropriate Water for Beneficial Use for your review. Along with this permit is a check in the amount of \$340.00 and a copy of the temporary easement agreement the City of Ellsworth has entered into with the current landowner.

Please let me know if you have any questions or concerns.

Thank you for your cooperation.

Sincerely,

Carey Hipp

Sherman, Hoffman & Hipp, LC

chipp@shhlawyers.com

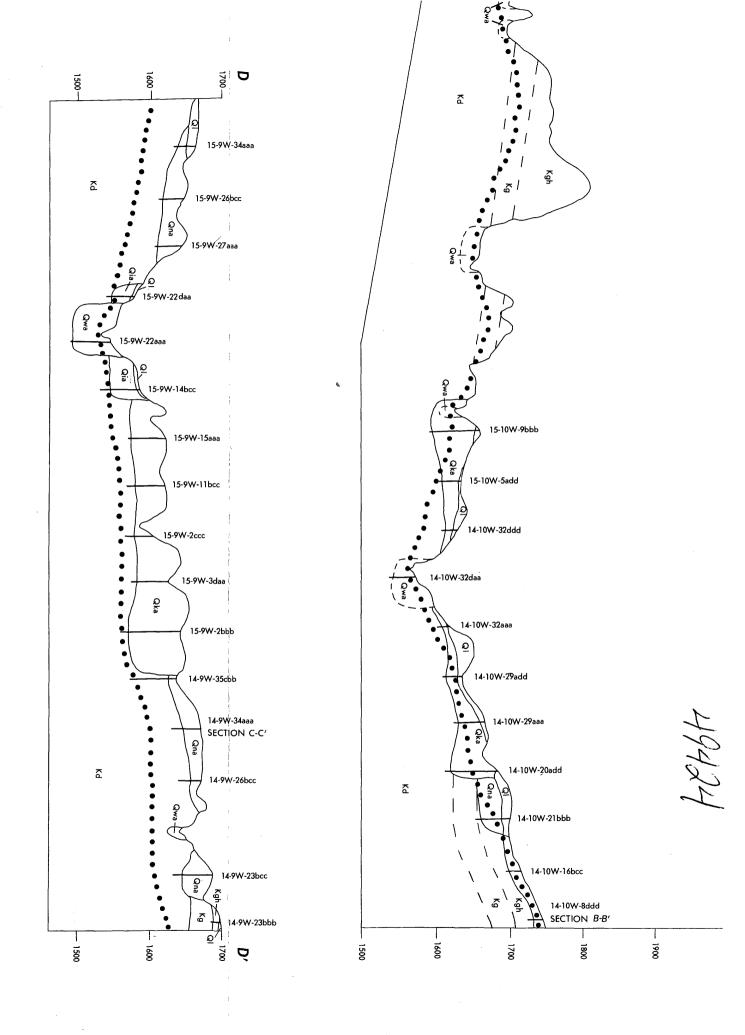
CH/hw

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Bayne, Franks, Ives—Geology and Ground-Wat	er Resoi	irces of
14-10W-32aaa.—Sample log of test hole in the T.14 S., R.10 W., west side of road, 35 feet south augered June 21, 1961. Altitude of land surface	ı of secti	ion line;
QUATERNARY SYSTEM PLEISTOCENE SERIES	Thickness feet	, Depth, feet
RECENT STAGE Silt, sandy, dark-grayish-brown	. 1	1
Sappa and Grand Island Formations Sand, coarse to very coarse; contains		0
some fine to coarse gravel CRETACEOUS SYSTEM Lower Cretaceous Series Dakota Formation		9
Clay, yellowish-orange and medium- to light-gray	2	11
14-10W-32daa.—Sample log of test hole in the sec. 32, T.14 S., R.10 W., center of road, 13 %-mile line; augered June 21, 1961. Altitude of 1,568 feet; depth to water, 7.0 feet.	NE% NI O feet so of land	E¼ SE¼ outh of surface,
QUATERNARY SYSTEM	Thickness, feet	, Depth, feet
Pleistocene Series wisconsinan stage Fluvial deposits (terrace)		
Silt, dark-grayish-brown Sand, fine; contains much silt	$\frac{4}{5}$	4 9
Silt, clayey, dark-brown	5 .	14
Sand, fine to medium, silty Sand, coarse to very coarse, and fine		19
to medium gravelCRETACEOUS SYSTEM Lower Cretaceous Series	13	32
Dakota Formation Clay, light-gray	1	33
14-10W-32ddd.—Sample log of test hole in the T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet.	rth of ir	ntersec-
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet.	rth of ir	ntersec- , 1,628
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES	rth of in surface <i>Thickness</i> ,	ntersec- , 1,628 Depth,
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits	rth of in surface hickness, feet	ntersec- , 1,628 Depth,
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, clayey, dark-grayish-brown KANSAN STAGE	rth of in surface hickness, feet	ntersec- , 1,628 Depth,
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, clayey, dark-grayish-brown KANSAN STAGE Sappa and Grand Island Formations Sand, coarse to very coarse, and fine to very coarse gravel CRETACEOUS SYSTEM	rth of in surface hickness, feet	ntersec- , 1,628 Depth, feet
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, clayey, dark-grayish-brown KANSAN STAGE Sappa and Grand Island Formations Sand, coarse to very coarse, and fine to very coarse gravel CRETACEOUS SYSTEM LOWER CRETACEOUS SERIES Dakota Formation	rth of in surface Thickness, feet	ntersec- , 1,628 Depth, feet
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, clayey, dark-grayish-brown KANSAN STAGE Sappa and Grand Island Formations Sand, coarse to very coarse, and fine to very coarse gravel CRETACEOUS SYSTEM LOWER CRETACEOUS SERIES Dakota Formation Sandstone, fine-grained, and interbedded grayish-yellow shale	rth of ir surface "hickness, feet 6 9	ntersec- , 1,628 Depth, feet 6 15
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, clayey, dark-grayish-brown KANSAN STAGE Sappa and Grand Island Formations Sand, coarse to very coarse, and fine to very coarse gravel CRETACEOUS SYSTEM LOWER CRETACEOUS SYSTEM LOWER CRETACEOUS SERIES Dakota Formation Sandstone, fine-grained, and interbedded grayish-yellow shale 15-7W-35bbb.—Sample log of test hole in the N T.15 S., R.7 W., south side of road, 40 feet east augered June 22, 1961. Altitude of land surfa	rth of ir surface "hickness, feet 6 9 3 W cor. sof inters	ntersec-, 1,628 Depth, feet 6 15 18 sec. 35, section;
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, clayey, dark-grayish-brown KANSAN STAGE Sappa and Grand Island Formations Sand, coarse to very coarse, and fine to very coarse gravel CRETACEOUS SYSTEM Lower Cretaceous Series Dakota Formation Sandstone, fine-grained, and interbedded grayish-yellow shale 15-7W-35bbb.—Sample log of test hole in the N T.15 S., R.7 W., south side of road, 40 feet east augered June 22, 1961. Altitude of land surfadry hole.	rth of ir surface "hickness, feet 6 9 3 W cor. sof inters	ntersec- , 1,628 Depth, feet 6 15 18 sec. 35, section; 4 feet;
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T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, clayey, dark-grayish-brown KANSAN STAGE Sappa and Grand Island Formations Sand, coarse to very coarse, and fine to very coarse gravel CRETACEOUS SYSTEM LOWER CRETACEOUS SERIES Dakota Formation Sandstone, fine-grained, and interbedded grayish-yellow shale 15-7W-35bbb.—Sample log of test hole in the N T.15 S., R.7 W., south side of road, 40 feet east augered June 22, 1961. Altitude of land surfadry hole. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, dark-grayish-brown Silt, light-grayish-brown: contains	rth of ir surface "hickness, feet 6 9 W cor. so of intersce, 1,57	ntersec-, 1,628 Depth, feet 6 15 18 sec. 35, section; 4 feet; Depth,
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, clayey, dark-grayish-brown KANSAN STAGE Sappa and Grand Island Formations Sand, coarse to very coarse, and fine to very coarse gravel CRETACEOUS SYSTEM LOWER CRETACEOUS SERIES Dakota Formation Sandstone, fine-grained, and interbedded grayish-yellow shale 15-7W-35bbb.—Sample log of test hole in the N T.15 S., R.7 W., south side of road, 40 feet east augered June 22, 1961. Altitude of land surfadry hole. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, dark-grayish-brown Silt, light-grayish-brown; contains some fine locally derived gravel in lower part	rth of ir surface surface chickness, feet 6 9 3 W cor. s of inters ce, 1,57 Chickness, feet	ntersec- , 1,628 Depth, feet 6 15 18 sec. 35, section; 4 feet; Depth, feet
T.14 S., R.10 W., west side of road, 30 feet no tion; augered June 21, 1961. Altitude of land feet. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, clayey, dark-grayish-brown KANSAN STAGE Sappa and Grand Island Formations Sand, coarse to very coarse, and fine to very coarse gravel CRETACEOUS SYSTEM LOWER CRETACEOUS SERIES Dakota Formation Sandstone, fine-grained, and interbedded grayish-yellow shale 15-7W-35bbb.—Sample log of test hole in the N T.15 S., R.7 W., south side of road, 40 feet east augered June 22, 1961. Altitude of land surfadry hole. QUATERNARY SYSTEM PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Eolian deposits Silt, dark-grayish-brown Silt, light-grayish-brown; contains some fine locally derived gravel in lower part CRETACEOUS SYSTEM LOWER CRETACEOUS SERIES	rth of ir surface surface "hickness, feet 6 9 3 W cor. sof intersce, 1,57 "hickness, feet 4	ntersec-, 1,628 Depth, feet 6 15 18 sec. 35, section; 4 feet; Depth, feet 4
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3 ,		
June 22, 1961. Altitude of land surface, 1,50° water, 5.6 feet.	7 feet; de Thickness,	
QUATERNARY SYSTEM	feet	feet
PLEISTOCENE SERIES RECENT AND WISCONSINAN STAGES Colluvium		
Sand, medium, and brown siltCRETACEOUS SYSTEM	- 4	4
Lower Cretaceous Series Kiowa Formation		
Sandstone, light-yellowish-orange	. 5	9
15-7W-35cccl.—Sample log of test hole in the T.15 S., R.7 W., in triangle at road intersection 22, 1961. Altitude of land surface, 1,518 feet; 23.0 feet.	n; augered depth to	d June water,
	Thickness, feet	Depth, feet
QUATERNARY SYSTEM PLEISTOCENE SERIES		
KANSAN STAGE Sappa and Grand Island Formations		
Sand, fine to medium, very silty		4
gravel	. 5	9
Sand, medium to coarse; contains some fine gravel and much silt		28
Sand, medium		51
CRETACEOUS SYSTEM LOWER CRETACEOUS SERIES		
Kiowa Formation		22
Clay, medium-light-gray		55
15-8W-19ccc.—Sample log of test hole in the S T.15 S., R.8 W., north edge of road, at east drilled by O. S. Fent, December 1, 1947. Altitudate, 1,555 feet.	SW cor. se end of b ide of lan	ec. 19, oridge; d sur-
	Thickness, feet	Depth, feet
QUATERNARY SYSTEM PLEISTOCENE SERIES	,	1001
RECENT AND WISCONSINAN STAGES Fluvial deposits	-	
Silt, brown (road fill and soil)	8	8
Silt, sandy, grayish-tanSilt, sand, and gravel, fine to medium	5	10 15
Silt, sandy, tan; contains pebbles of red and brown sandstone	1	16
CRETACEOUS SYSTEM Lower Cretaceous Series	•	
Dakota Formation	•	16
Sandstone, white and redClay, sandy, white and red, inter-	1	17
bedded with white sandstone	3	20
15-9W-2bbb.—Sample log of test hole in the N T.15 S., R.9 W., east side of road, 30 feet south drilled August 29, 1961. Altitude of land surfa	of interse	ction;
	Thickness, feet	Depth, feet
QUATERNARY SYSTEM PLEISTOCENE SERIES KANSAN STACE	,	,
Sappa and Grand Island Formations Silt. clayey, dark-brown	5	5
Silt, clayey, dark-brown Silt, brown; contains caliche	4	9
Sand, very fine, silty, light-brown Clay. dark-gravish-brown: contains	10	19
Clay, dark-grayish-brown; contains much fine sand Silt, dark-brown	$\frac{1}{5}$	$\frac{20}{25}$
Sand, very fine, silty, light-brown	$\frac{3}{4}$	29
Silt, grayish-brown; contains some caliche	7	36
Sand, medium	14	50
Sand, coarse, and fine gravelCRETACEOUS SYSTEM LOWER CRETACEOUS SERIES	22	72
Dakota Formation	0	
Sandstone, hard, dark-reddish-brown	8 .	80



I, <u>Linda J. Denning</u>, being first duly sworn, depose and say: That I am publisher of the Ellsworth County Independent/Reporter, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Ellsworth County, Kansas, with a general paid subscription on a yearly basis in Ellsworth County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than one year prior to the first publication of said notice; and has been admitted at the post office of Ellsworth in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for ______ consecutive weeks, the first publication thereof being made as aforesaid on the ______ day of ______ 2016 with subsequent publications being made on the following dates:

Second Publication

	Third Publication, 2016	
	Fourth Publication, 2016	
30	Subsoribed and sworn to before me this 14 h of NOTARY PUBLIC	lay
	My commission expires March 22, 2017.	
	Examined and approved by me this day, 2016.	of
	Clerk of District Court, Ellsworth County, Kansas Probate Judge, Ellsworth County, Kansas Printers' Fee: \$163-80	
	Additional Copies: \$	

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COPY OF NOTICE

DIVISION OF WATER RESOURCES

City of Ellsworth Water Applications

(First Published in the Ellsworth County Independent/ Reporter June 30, 2016)

PUBLIC NOTICE File Nos. 49.424 and 49.510

The City of Ellsworth has filed Applications, File Nos. 49,424 and 49,510, for permit to appropriate water for beneficial use, with the Division of Water Resources, Kansas Department of Agriculture. Application File No. 49,424 is requesting 104.79 million gallons of groundwater, and Application File Nos. 49,510 is requesting 162.9 million gallons of groundwater, for municipal use. Both Files are requesting a diversion rate of 800 gallons per minute from a battery of four wells. The geographic centers of the well batteries are located in the Northeast Quarter (NE ¼) of Section 29 and the Northwest Quarter (NW ¼) of Section 28, respectively, in Township 15 South, Range 8 West in Ellsworth County, Kansas.

Anyone with existing wells in the immediate vicinity of theses proposed points of diversion is invited to submit written comments regarding Applications, File Nos. 49,424 and 49,510. Persons submitting comments should specifically indicate their interest in the proposed appropriations of water. Comments regarding, these applications will be accepted through July 29, 2016.

Written comments or questions regarding the applications may be directed to the Office of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502. If you wish more information concerning these applications, you may also contact Douglas Schemm, Environmental Scientist, in the Water Appropriation Program at 785-296-3495.

3t 7/14

WATER RESOURCES RECEIVED

JUL 2 1 2016

KS DEPT OF AGRICULTURE

WATER RIGHTS INVESTIGATIVE SERVICE 209 SOUTH ASH ST. STOCKTON, KANSAS 67669-1921 (785) 543-8254

May 25, 2016

RE: Application File Nos. 49,42

and 49,510

Division of Water Resources

Doug Schemm

1320 Research Park DR

Manhattan, KS. 66502

RECEIVED

JUL 25 2016

Topeka Field Office
Topeka Field Office
TOPEKA FIELD OF WATER RESOURCES

Dear Mr. Schemm

Enclosed with this correspondence is the Public Notice, along with the verification of publication regarding Application File Nos. 49,424 and 49,510. The City of Ellsworth submits this notice of publication pursuant to your instructions for the notification of nearby well owners.

If you have other questions or need additional information, please feel free to contact us.

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JUL 2 1 2016

KS DEPT OF AGRICULTURE

Sincerely;

Scott E. Ross

General Manager

Water Rights Investigative Services

Enclosure:

SCANNED

To comply with Battery requirements (Revised individual well locations)

Application File No. 49,424

- (1) well 5011' North X 475' West (4,952'N & 398'w)
- (1) well 4898' North X 278' West (4,898'N & 290'W)
- (1) well 4581' North X 45' West (4,618'N & 56'w)
- (1) well 4494' North X 6' West (4,516' N & 60' W)

Geo Center 4746' North X 201' West

All in Section 29, Township 15 South, Range 8 West in Ellsworth County, KS.

To comply with Bettery Reguirements Application File No. 49,510 (Revised individual well locations)

- (3,990'N 4 4,366'W) (1) well 4001' North X 4510' West
- (3,908'N & 4,210'W) (1) well 3889' North X 4148' West
- (1) well 3753' North X 4108' West (3,780'N & 4,120'W)
- (1) well 3701' North X 3966' West (3,666'N + 4,036'W)

Geo Center 3836' North X 4183' West

All in Section 28, Township 15 South, Range 8 West in Ellsworth County, KS.

These should be the approximate well locations for each battery of (4) wells.

Schemm, Doug

From:

Scott Ross <water.rights.llc@gmail.com>

Sent:

Monday, June 27, 2016 3:30 PM

To:

Schemm, Doug

Subject:

Re: Battery well locations File Nos. 49,424 and 49,510

Doug,

Those are approximate, so move them as you need to. Geo Centers are based on the best test hole locations.

Scott

Scott E. Ross

General Manager Water Rights Investigative Service LLC 209 South Ash ST. Stockton, KS. 67669 785-543-8254

On Mon, Jun 27, 2016 at 12:19 PM, Schemm, Doug < Doug. Schemm@kda.ks.gov > wrote:

Scott,

Need to revise these individual wells a bit for both of these apps. They need to be moved closer in order to fall within 300 feet of geo-ctr.

Thanks, Doug

From: Scott Ross [mailto:water.rights.llc@gmail.com]

Sent: Monday, June 27, 2016 11:08 AM

To: Schemm, Doug; Scott Moore

Subject: Battery well locations File Nos. 49,424 and 49,510

Doug,

The following are the approximate locations of the proposed wells under these applications.

Kopp, Kenneth From: Scott Ross <water.rights.llc@gmail.com> Saturday, October 24, 2015 9:44 AM Sent: Kopp, Kenneth To: Subject: Re: City of Ellsworth New Application File No. 49,424 **Attachments:** Ellsworth_27.pdf Ken, Yes we did and attached is the log with the GPS coordinates on the log. Scott Scott E. Ross General Manager Water Rights Investigative Service LLC 209 South Ash ST. Stockton, KS. 67669 785-543-8254 On Thu, Oct 22, 2015 at 3:31 PM, Kopp, Kenneth < Kenneth.Kopp@kda.ks.gov > wrote: Hi Scott, Did the city do any test drilling at this location? We did not get any test hole logs.

From: Scott Ross [mailto:water.rights.llc@gmail.com]

Sent: Thursday, July 30, 2015 8:30 AM

To: Kopp, Kenneth; Carey Hipp

Subject: City of Ellsworth New Application File No. 49,424

Ken,

Thanks,

Ken

Ellsworth want to establish the location of the Geo Center of the point of diversion under this application as being 4746 feet North and 201 feet West of the Southeast Corner of Section 29, Township 15 South, Range 8 West in Ellsworth County, KS.

Scott

Scott E. Ross

General Manager

Water Rights Investigative Service LLC

209 South Ash ST. Stockton, KS. 67669 785-543-8254 Further, the Public Notice regarding nearby wells will be published this week and the following 2 weeks, meeting the 3 weekly publication criteria for notice. Please advise if you have any questions that need my input. I would also be interested in any additional hydrologic data submitted regarding these applications or this general area.

Scott

Scott E. Ross

General Manager

Water Rights Investigative Service LLC

209 South Ash ST. Stockton, KS. 67669 785-543-8254

Analysis Results

The selected PD is in an area to new appropriations.

The safe yield, based on the variables listed below is 780.90 AF.

Total prior appropriation in the circle is 1,485.38 AF. -999.84 = 485.58 - 26.3 AF (1well) = 459.28Total quantity of water available for appropriation is 0 >00 AF.

321.6 AF (104.79 million)

Safe Yield Variables

The area used for the analysis is set at 6576 acres.

Potential annual recharge of the area is estimated to be 1.9 inches.

The percent of recharge available for appropriation is 75%.

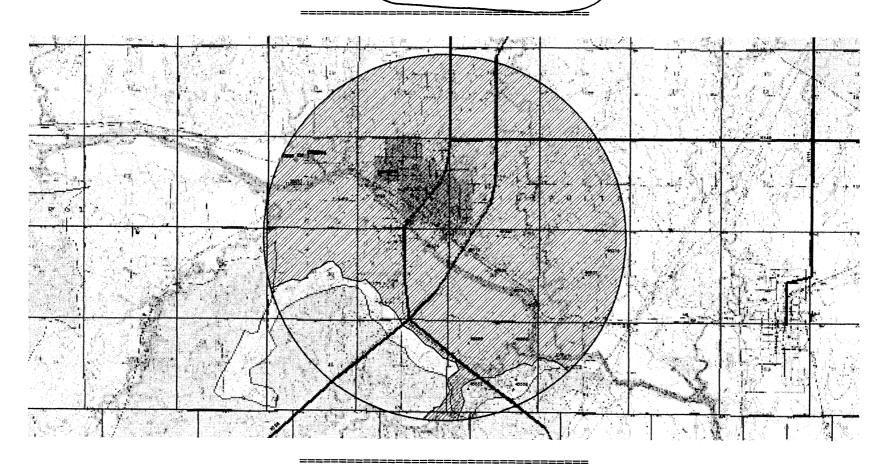
Authorized Quantity values are as of 22-JUN-2016 and are based on Appropriated and Vested ground water right and possible stream nodes for GMD #2. Domestic, Term and Temporary water rights have been excluded.

There are 6 water right(s) and 8 point(s) of diversion within the circle.

File	Number		Use	ST	SR	Q4	Q3	Q2	Q1	FeetN	FeetW	Sec	Twp	Rng	ID	Qind	Auth_Quant	Add_Quant	Tacres	Nacres
A	12885	00	MUN	nk	G					3000	4100	20	15	08W	1	PD	30.80	16.62		
Same			MUN	NK	G		SE	NE	NW	4140	3120	19	15	08W	2	PD	128.86	68.21		
Same			MUN	NK	G					3000	3720	20	15	08W	2	PD	36.68	19.79		
Same			MUN	NK	G		CN	SW	NW	3880	4530	19	15	08W	3	PD	154.17	83.16		
Same			MUN	NK	G		NW	SE	NW	3930	3620	19	15	08W	4	PD	130.30	69.99		
Same			MUN	NK	G		SE	NE	NW	4100	2680	19	15	08W	1	PD	26.83	14.48		
A	38775	00	MUN	NK	G		SE	NE	NW	4100	2680	19	15	08W	1	WR	139.94	29.15		
A	38776	00	MUN	NK	G					3000	4100	20	15	08W	1	WR	141.21	0.00		
A	49424	00	MUN	ΑY	G				NE	3960	1320	29	15	08W	1	WR	49 §. 92	4 9 9.92 \	> Pending	
A	49510	00	MUN	ΑY	G		NE	SW	NW	3836	4183	28	15	08W	7	WR	499.92	499.92	remain)
V EW	2	00	MUN	AA	G					3000	4100	20	15	08W	1	WR	184.13	184.13		
Same			MUN	AA	G		SE	ΝE	NW	4140	3120	19	15	08W	2	WR				
Same			MUN	AA	G					3000	3720	20	15	08W	2	WR				
Same			MUN	AA	G		CN	SW	NW	3880	4530	19	15	08W	3	WR				
Same			MUN	AA	G		NW	SE	NM	3930	3620	19	15	08W	4	WR				
Same			MUN	AA	G		SE	NE	ИМ	4100	2680	19	15	08W	1	WR				

Vested Right, EW-2 has 7 wells anthorized, with Blanket Quantity of 184. 13 AF or 26.3 acre-feet perwell if equally distributed. I of the wells is located outside of 2 mile circle.

Safe Yield Report Sheet Proposed Water Right Application Point of Diversion in SENENENE 29-155-08W File No. 49,424 (4,746'N & 201'W)



Schemm, Doug

From:

Stewart, Kelly

Sent:

Wednesday, June 22, 2016 11:21 AM

To:

Schemm, Doug Billinger, Mark

Cc: Subject:

RE: City of Ellsworth, File Nos. 49,424 and 49,510

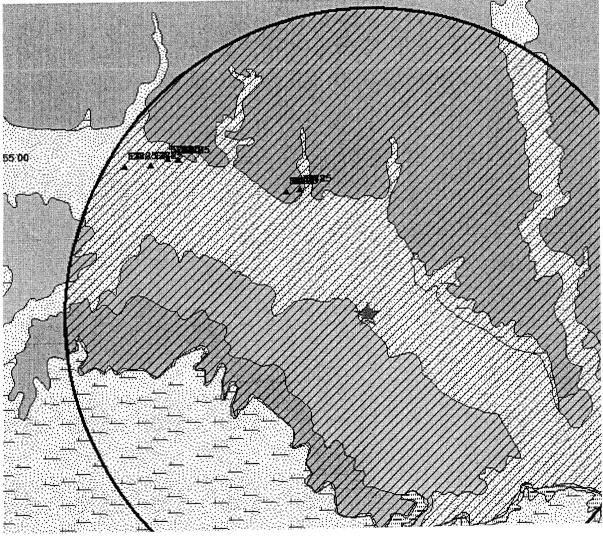
Doug,

Took a look at the area of consideration using the historical geology map shape file that Mark found somewhere. It looks like we could expand the alluvial/terrace deposit area to about 6537 acres. I do question a little how we define the "area of consideration" given they appear to be tapping into the top of the Dakota Formation.

Kelly

with Scott Ross-Source will be allevium.

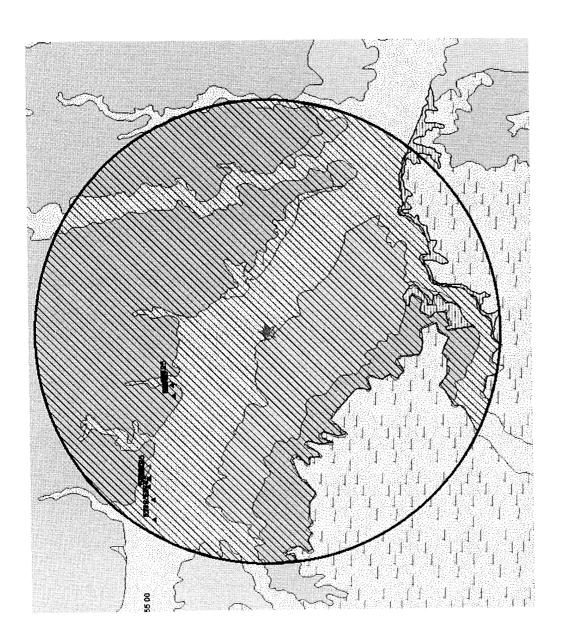
DUS IDWE
7/12/16



From: Schemm, Doug

Sent: Wednesday, June 22, 2016 9:34 AM

To: Stewart, Kelly < Kelly.Stewart@KDA.KS.GOV >



Report Date Thursday, December 10 2015

Water Rights and Points of Diversion Within 2.00 miles of point defined as: 4746 ft N and 201 ft W of the SE Corner of Section 29, T 15S, R 8W Located at: 98.225573 West Longitude and 38.724136 North Latitude GROUNDWATER ONLY

meets specing

File Number Use ST SR Dist	(ft) Q4 Q3 Q2 Q1	FeetN FeetW Sec Twp	o Rng ID Batt Auth_Quan Add_Quan Unit
A 12885 00 MUN NK G	9044 SE NE NW	4100 2680 19 15	5 8W 1 26.83 14.48 AF
Same	9445 SE NE NW	4140 3120 19 15	5 8W 2 126.43 68.21 AF
Same	9788 NW SE NW	3930 3620 19 15	5 8W 4 130.30 70.30 AF
Same	5219	3000 4100 20 15	5 8W 1 30.80 16.62 AF
Same	4946	3000 3720 20 15	5 8W 2 36.68 19.79 AF
A 38775 00 MUN MM G	9044 SE NE NW	4100 2680 19 15	5 8W 1 142.27 142.27 AF
A 38776 00 MUN MM G	5219	3000 4100 20 15	5 8W 1 142.27 142.27 AF
A 49424 00 MUN AY G	1367 NE	3960 1320 29 15	5 8W 1 499.92 499.92 AF
A 49510 00 MUN AY G	1636 NE SW NW	3836 4183 28 15	5 8W 7 499.92 499.92 AF
T20099080 00 CON GY G	4069 SW SW NE	3150 2000 20 15	5 8W 5 16.00 16.00 AF
VEW 2 00 MUN AA G	9044 SE NE NW	4100 2680 19 15	5 8W 1 184.13 184.13 AF
Same	9445 SE NE NW	4140 3120 19 15	5 8W 2
Same	9788 NW SE NW	3930 3620 19 15	5 8W 4
Same	5219	3000 4100 20 15	5 8W 1
Same	4946	3000 3720 20 15	5 8 W 2
=======================================			
Total Net Quantities Authorize	ed: Direct	Storage	
Total Requested Amount (AF) =	999.84	.00	
Total Permitted Amount (AF) =	16.00	.00	
Total Inspected Amount (AF) =	.00	.00	
Total Pro_Cert Amount (AF) =	284.55	.00	
Total Certified Amount (AF) =	189.40	.00	
Total Vested Amount (AF) =	184.13	.00	
TOTAL AMOUNT (AF) =	1673.93	.00	
7			

An * after the source of supply indicates a pending application for change for the file number.

An \star after the ID indicates a 15 AF exemption was granted for the file number.

A "G" in the Batt column indicates the GEO CTR of a battery. A "B" indicates a well in the battery. The number in the Batt column is the number of wells in the battery.

Water Rights and Points of Diversion Within 2.00 miles of point defined as:

98.225573 West Longitude and 38.724136 North Latitude

GROUNDWATER ONLY

WATER USE CORRESPONDENTS:

File Number Use ST SR

A_ 12885 00 MUN NK G

> CITY OF ELLSWORTH

>

> PO BOX 163

> ELLSWORTH KS 67439

>-----

A__ 38775 00 MUN MM G

> CITY OF ELLSWORTH

>

> PO BOX 163

> ELLSWORTH KS 67439

>
A 38776 00 MUN MM G
> CITY OF ELLSWORTH
>
> PO BOX 163
> ELLSWORTH KS 67439
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A 49424 00 MUN AY G
> CITY OF ELLSWORTH
>
> PO BOX 163
> ELLSWORTH KS 67439
>
A 49510 00 MUN AY G
> CITY OF ELLSWORTH
>
> PO BOX 163
> ELLSWORTH KS 67439
>
T20099080 00 CON GY G
> CASHCO INC
>
> 607 W 15TH ST
> ELLSWORTH KS 67439
>
VEW 2 00 MUN AA G
> CITY OF ELLSWORTH
>
> PO BOX 163
> ELLSWORTH KS 67439
>



Topeka Field Office 6531 SE Forbes Ave., Suite B Topeka, Kansas 66619

Jackie McClaskey, Secretary David W. Barfield, Chief Engineer Katherine A. Tietsort, Water Commissioner Phone: (785) 296-5733 Fax: (785) 862-2460 www.agriculture.ks.gov

Sam Brownback, Governor

August 9, 2016

MARVIN BUSH 202 BLAINE ST ELLSWORTH KS 67439

Re: Pending Applications, File Nos. 49,424 and 49,510

Dear Mr. Bush:

This will acknowledge receipt of your letter received in our office on July 25, 2016, and our subsequent telephone discussion on August 8, 2016, regarding your concerns with the proposed appropriations of groundwater for municipal use by the City of Ellsworth, under the above referenced applications. We are in the process of thoroughly reviewing these applications to ensure that they comply with the Kansas Water Appropriations Act and applicable rules and regulations. The Chief Engineer is required to approve applications for water appropriations unless the proposed appropriation will impair existing water rights or prejudicially and unreasonably affect the public interest per K.S.A. 82a-711.

The applicable rules and regulations (K.A.R. 5-4-4) require that new non-domestic wells must meet specific spacing guidelines based on the source of water supply in order to minimize the potential that existing water wells of any kind would be impaired. The source of water (aquifer) for these pending applications is the Smoky Hill River alluvium based on the geographical location of the proposed wells, and nearby well logs. This aquifer requires a minimum well spacing of 660 feet from any existing domestic well in the same source of supply. Our review indicates that the proposed well locations comply with minimum well spacing criteria to your domestic well.

Your comments will be considered, and approval of the applications if granted, will authorize diversion of water only when it does not impair existing rights. Additionally, the rules and regulations (K.A.R. 5-4-1) require the Chief Engineer to investigate any complaint that a prior right to the use of water is being impaired. If such impairment is found, the Chief Engineer must secure water to satisfy prior water rights. Therefore, if these permit applications are approved by the Chief Engineer and you believe the diversion of water is impairing your existing water right, you should notify Kelly Stewart, Water Commissioner, Stockton Field Office, as follows, so that an investigation can be made.

Division of Water Resources Stockton Field Office 820 S Walnut St Stockton, KS 67669 Telephone: (785) 425-6787

If an applicant without cause fails to comply with the provisions of the permit and its terms, conditions and limitations, it could result in the forfeiture of the priority date, revocation of the permit and dismissal of the application. If you have any further questions, please contact me at 785-296-3495. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Douglas W. Schemm Environmental Scientist Topeka Field Office Office of the Chief Engineer Division of Water Resources Kansas Dept. of Agriculture 1320 Research Park Drive Manhattan, Ks. 66502 July 19, 2016

RECEIVED

AUG 0 1 2016

Topeka Field Office
DIVISION OF WATER RESOURCES

Re: Applications, File No. 49,424 & 49,510

To Whom It May Concern:

We live in the southeast edge of Ellsworth, in Block 6, Rice's First Addition to the City of Ellsworth. We have a water well and are concerned what would happen to our water supply if the city drills water wells in our area.

Thank you for considering our concern in this matter.

Sincerely,

Marvin & Bernita Bush 202 Blaine St. Ellsworth, Ks. 67439 Ph. 785-472-4274 e-mail – mbbush@eaglecom.net

WATER RESOURCES
RECEIVED

JUL 2 5 2016

KS DEPT OF AGRICULTURE



Topeka Field Office 6531 SE Forbes Ave., Suite B Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733 Fax: (785) 862-2460 www.agriculture.ks.gov

Sam Brownback, Governor

August 1, 2016

MARVIN BUSH 202 BLAINE ST ELLSWORTH KS 67439

Re:

Pending Applications, File Nos. 49,424 and 49,510

Dear Sir or Madam:

This is to advise you that the City of Ellsworth has filed the applications referred to above for permits to appropriate groundwater for municipal use. Application, File No. 49,424 is requesting 104.79 million gallons to be diverted at a maximum rate of 800 gallons per minute. Application, File No. 49,510 is requesting 162.9 million gallons to be diverted at a maximum rate of 800 gallons per minute.

For File No. 49,424, the geographic center of the well battery is located in the Northeast Quarter of the Northeast Quarter of Section 29, in Township 15 South, Range 8 West, Ellsworth County, Kansas.

For File No. 49,510, the geographic center of the well battery is located in the Northeast Quarter of the Southwest Quarter of Section 28, in Township 15 South, Range 8 West, Ellsworth County, Kansas.

A map is enclosed indicating the locations of the proposed points of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed locations of the applicant's points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

If you have any questions or comments, you may also contact me at (785) 296-3495. If you call, please reference the file number so I can help you more efficiently.

Sincerely,

Douglas W. Schemm Environmental Scientist Topeka Field Office

Doug Schemm

Enclosure

pc:

City of Ellsworth

Scott Ross



Topeka Field Office 6531 SE Forbes Ave., Suite B Topeka, Kansas 66619

Jackie McClaskey, Secretary
David W. Barfield, Chief Engineer
Katherine A. Tietsort, Water Commissioner

Phone: (785) 296-5733 Fax: (785) 862-2460 www.agriculture.ks.gov

Sam Brownback, Governor

August 1, 2016

ROBERT BLACKBURN 701 E 1ST STREET ELLSWORTH KS 67439

Re:

Pending Applications, File Nos. 49,424 and 49,510

Dear Sir or Madam:

This is to advise you that the City of Ellsworth has filed the applications referred to above for permits to appropriate groundwater for municipal use. Application, File No. 49,424 is requesting 104.79 million gallons to be diverted at a maximum rate of 800 gallons per minute. Application, File No. 49,510 is requesting 162.9 million gallons to be diverted at a maximum rate of 800 gallons per minute.

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A map is enclosed indicating the locations of the proposed points of diversion. Records in this office indicate that you may have a well or wells in this vicinity and you are being notified of receipt of these applications in order that you may be fully informed of the proposed locations of the applicant's points of diversion and proposed use of water. Consideration will be given to comments or other information which you desire to submit to this office within 15 days from the date of this letter.

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Sincerely,

Douglas W. Schemm Environmental Scientist Topeka Field Office

Dong Schemm

Enclosure

pc:

City of Ellsworth

Scott Ross



SHERMAN, HOFFMAN & HIPP, LC

126 North Douglas Mailing Address: P. O. Box 83 Ellsworth, Kansas 67439-0083

John Sherman Gregory R. Hoffman Carey Hipp Patrick G. Hoffman

TELEPHONE: 785-472-3186 FAX: 785-472-4767

July 7, 2015

Chief Engineer
Division of Water Resources
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, KS 66502

Dear Chief Engineer:

Please find enclosed an Application for Permit to Appropriate Water for Beneficial Use for your review. Along with this permit is a check in the amount of \$340.00 and a copy of the temporary easement agreement the City of Ellsworth has entered into with the current landowner.

Please let me know if you have any questions or concerns.

Thank you for your cooperation.

Sincerely,

Carev Hipp

Sherman, Hoffman & Hipp, LC

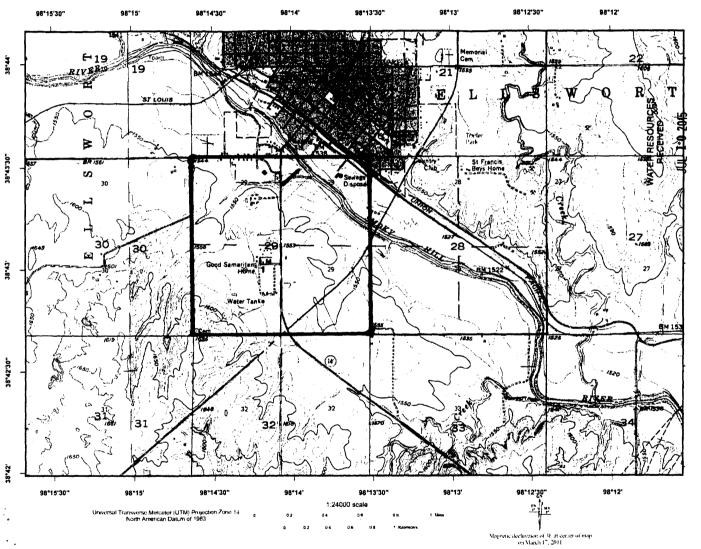
chipp@shhlawyers.com

CH/hw

WATER RESOURCES
RECEIVED

JUL 1 0 2015

KS DEPT OF AGRICULTURE



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WATER WELL REC	CORD	Form WV	VC-5	Div	vision of Wate	r Resources App. N	0.
1 LOCATION OF WA	TER WELL:	Fraction			n Number		Range Number
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Downtown Ellsworth		ovinor s data cos, chock					(in decimal degrees)
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City, State, ZIP Code	· Salina,	KS 67401					5-15 m, \square >15 m
3 LOCATE WELL						э, <u>Стоо</u> , Ст	10 10 1.1,
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SW SE	☐ Irrigation	☐ Industrial ☐ I					
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INSTRUCTIONS: Use type:	writer or ball point pe	n. PLEASE PRESS FIRMLY	and PRINT cl	early. Ple	ase fill in blank	s and check the correct	ct answers. Send three copies
(white, blue, pink) to Kansas	Department of Health	and Environment, Bureau	of Water, Geo	ogy Section	on, 1000 SW Ja	ckson St., Suite 420,	Topeka, Kansas 66612-1367.
Telephone 785-296-5522. Se http://www.kdheks.gov/waterv		TER WELL OWNER and I	etain one for	your reco	ras, include <u>fe</u>	e of \$5.00 for each g	constructed well. Visit us at
KSA 82a-1212	rom mgoz,num.			Cl	heck: V W	hite Copy, 🔲 Bl	ue Copy, Pink Copy
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WATER WELL RECORD Form WWC-5 KSA 82a-1212 1 LOCATION OF WATER WELL: Fraction Section Number Township Number Range Number County: Ellsworth NW 15 16 8 Distance and direction from nearest town or city street address of well if located within city? 1/2 Mile North of Ellsworth, KS 2 WATER WELL OWNER: Ellsworth Correctional Facility Box 107 Board of Agriculture, Division of Water Resources RR#. St. Address. Box # : Ellsworth, KS 67439 Application Number: City, State, ZIP Code Depth(s) Groundwater Encountered 1.42 ft. 2. ft. 3. ft. 3. ft. Pump test data: Well water was ft. after hours pumping gpm NW -- NE --Est. Yield 12 ... gpm: Well water was 1.40 ft. after ... 3 hours pumping ... 12 ... gpm 1 8 Air conditioning WELL WATER TO BE USED AS: 5 Public water supply 11 Injection well 3 Feedlot 6 Oil field water supply 9 Dewatering 12 Other (Specify below) 1 Domestic SW _ - SF -7 Lawn and garden only 10 Monitoring well 2 Irrigation 4 Industrial Was a chemical/bacteriological sample submitted to Department? Yes...........No..X......; If yes, mo/day/yr sample was sub-Water Well Disinfected? Yes X No CASING JOINTS: Glued . . X. . . Clamped TYPE OF BLANK CASING USED: 8 Concrete tile 5 Wrought iron 1 Steel 3 RMP (SR) 6 Asbestos-Cement 9 Other (specify below) 2 PVC Threaded..... A ARS 7 Fiberglass Blank casing diameter 5 in. to 120 ft., Dia in. to ft., Dia ft. TYPE OF SCREEN OR PERFORATION MATERIAL: 7 PVC 10 Asbestos-cement 8 RMP (SR) 3 Stainless steel 5 Fiberglass 1 Steel 9 ABS 12 None used (open hole) 2 Brass 4 Galvanized steel 6 Concrete tile 5 Gauzed wrapped 8 Saw cut 11 None (open hole) SCREEN OR PERFORATION OPENINGS ARE: 9 Drilled holes 3 Mill slot 6 Wire wrapped 1 Continuous slot 4 Key punched 7 Torch cut 2 Louvered shutter From 120 ft. to 145 ft., From ft. to ft. SCREEN-PERFORATED INTERVALS: **GRAVEL PACK INTERVALS:** ft., From From 3 Bentonite 6 GROUT MATERIAL: 1 Neat cement 2 Cement grout What is the nearest source of possible contamination: 14 Abandoned water well 10 Livestock pens 15 Oil well/Gas well 4 Lateral lines 7 Pit privy 11 Fuel storage 1 Septic tank 12 Fertilizer storage 16 Other (specify below) 8 Sewage lagoon 2 Sewer lines 5 Cess pool 13 Insecticide storage 3 Watertight sewer lines 6 Seepage pit 9 Feedyard 150 ft
PLUGGING INTERVALS How many feet? Direction from well? South LITHOLOGIC LOG FROM TO FROM TO Limestone (hard) 126 127 0 2 Silty Top Soil 127 135 Gray Shale 2 Fine Sand 3 135 150 Sandstone (hard) 3 Silty Brown Clay 150 151 Limestone (very Hard) 5 11 Tan Clay Fine to Medium Sand 11 29 29 37 Sandstone 37 40 Limestone (Hard) 40 42 Gray Shale 42 47 Sandstone 47 78 Grav Shale 78 79 Limestone 79 83 Sandstone 83 105 Grav Shale Sandstone (hard) 105 115 115 126 Gray Shale CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and was Water Well Contractor's License No. ...138 This Water Well Record was completed on (mo/day/yr)_... by (signature) William under the business name of Peterson Irrigation, Inc. INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department

of Health and Environment, Bureau of Water, Topeka, Kansas 66620-7320. Telephone: 913-296-5545. Send one to WATER WELL OWNER and retain one for your records.

WATER WELL RE	CORD	Form WWC-	5	Division of Wate	er Resources; App. No.	<u> </u>
1 LOCATION OF WA	ATER WELL:	Fraction		Section Number		
County: Ellswort		NE 1/4 SE 1/4 S		17	T 15 S	R 8w E/W
	n from nearest town or ci	ity street address of we	ell if (Systems (decimal degr	- :
located within city?				Latitude:		
1N of Ellswort	h, KS			Longitude:		
2 WATER WELL OV	NNER: Donald Sou	kup	1	Elevation:		
RR#, St. Address, Bo City, State, ZIP Code	103 11. 100			Datum:		
	£1131101 0119		161	Data Collection	Method:	
3 LOCATE WELL'S	4 DEPTH OF COM	PLETED WELL	···†\$1···	ft.		
LOCATION	Depth(s) Groundwater	m , 1 (1) (/ .=) c (2)	6 (2)	c
WITH AN "X" IN	Depth(s) Groundwater	ATER LEVEL4	4 <i>∤.</i>). II. (2) halam land sumface	II. (3)	II.
SECTION BOX:	Pump test date	a: Well water was		ft after	hours numning	yıuu./uu/.u.g
	Fet Vield 12 onr	n: Well water was		ft after	hours numping	onm
	WELL WATER TO F	BE USED AS: 5 Publi	ic water	supply 8 Air	conditioning 11 Inie	ection well
NW NE E	1 Domestic 3 Fee	edlot 6XXX Keld	ye Kekish	9 Dev	watering 12 Oth	ner (Specify below)
"	WELL WATER TO E 1 Domestic 3 Fee 2 Irrigation 4 Inc	dustrial 7 Domesti	c (lawn d	garden) 10 Mo	nitoring well	
SW - SF -						
SW ₋ SE		riological sample subm				
	Sample was submitted	1	. Wate	r well disinfected?	<u>Yes</u> No	
S						
5 TYPE OF CASING	USED: 5 Wrought IP (SR) 6 Asbestos	Iron 8 Conc	rete tile	CASIN	G JOINTS: Glued	Clamped
1 Steel 3 RM	IP (SR) 6 Asbestos	-Cement 9 Other	(specify	below)	Welded	
2 PVC 4 AB	S 7 Fiberglas	S			I hreaded	
Blank casing diameter	5 in. to111	ft., Diameter	1 O	n. to tt.	, Diameter	in. tott.
	d surface12		.Ω	lbs./ft. Wall thi	ckness or guage No	3と((*#U
i e	PERFORATION MATE ainless Steel 5 Fibe		0.4	ABS	11 Other (Specify) .	
	allyanized Steal 6 Cond					
	ATION OPENINGS AR		, 101	isoestes comen	12 Trone asea (open	
1 Continuous slot	3 Mill slot 5 C	Gauzed wrapped 7 T	orch cut	9 Drilled holes	11 None (open he	ole)
2 Louvered shutte	r 4 Key punched 6 V ED INTERVALS: From.	Vire wrapped 8 S	aw cut	10 Other (specif	ý)	
SCREEN-PERFORATE	D INTERVALS: From.		151	ft., From	ft. to	ft.
	From. K INTERVALS: From.	ft. to	151	ft., From	ft. to	ft.
GRAVEL PAC	K INTERVALS: From	ft. to	.‡.2.‡	tt., From	It. to	tt.
	From	ft. to				
6 GROUT MATERIA	L: 1 Neat cement 2	Cement grout 3 Ber	ntonite	4 Other		
Grout Intervals: Fr	rom 0 ft. to	36 ft., From		ft. to	ft., From	ft. toft.
	ce of possible contamina					
1 Septic tank	4 Lateral lines		0 Livest		secticide storage	16 Other (specify
2 Sewer lines	5 Cess pool	C C	1 Fuel st	_	bandoned water well	below)
3 Watertight sewe	er lines 6 Seepage pit					barn
Direction from well?					DI LICCING INTI	CDVALC
FROM TO	LITHOLOGIC	L LUG	FROM	OT	PLUGGING INTI	ERVALS
	soil		 			
1 6 cla		h ala ataaala	 	+		
	nd and gravel wit	n clay streaks				
	nd rock streaks w	ith chalo	<u> </u>			
	k bottom	I CII SIIQ IE	†			
100	. N DO CLOIII					
7 CONTRACTOR'S C	OR LANDOWNER'S C	ERTIFICATION: TI	his water	well was (1) const	ructed, (2) reconstructe	ed, or (3) plugged
under my jurisdiction ar	nd was completed on (mo	o/day/year) .06/19/0	9 and	this record is true	to the best of my know	vledge and belief.
Kansas Water Well Con	tractor's License No	186 This Water	Well Re	cord was completed	d on (mo/day/year) .06	5/22/09
under the business name	of Kelly's Water	well Service,	inc. b	y (signature)	athun Lo	bad
INSTRUCTIONS: Use type	ewriter or ball point pen. <u>PLE</u> tment of Health and Environment	ASE PRESS FIRMLY and Property of Water Goals	' <u>RINT</u> clear	rty. Please fill in blank	s, underline or circle the co	rrect answers. Send top
785-296-5522. Send one	to WATER WELL OW	NER and retain one for	r your re	ecords. Fee of \$5	.00 for each constructed	well. Visit us at
http://www.kdheks.gov/water			-			

T			R WELL RECOR	D Form W	WC-5 KSA 8					
LOCATION OF WATE		Fraction	GTT	3777	Section Number		ip Number		Range Nur	
County: E11swor			SW 1/4			<u> </u>	<u>15 s</u>	H_	8 W	E/W
In Ellsworth,		or only should	ida. C35 or won in	oodiba wiiiiii	y .					
WATER WELL OWN		IISD	327							
RR#, St. Address, Box			Box 306			Board	of Agricultu	re, Divisior	of Water	Resource
City, State, ZIP Code	:		sworth, Kan	sas 6743	39		-			
LOCATE WELL'S LOC	CATION WITH									
AN "X" IN SECTION			water Encountered							
i []		ELL'S STATIC	WATER LEVEL	\ 80 .	ft. pelow land s	surface measure	d on mo/da	y/yr7#	/13/95 .	
Xw -	- NE E	st. Yield . 3	gpm: Wel	l water was	ft.	after	hours	pumping		gpr
* w	B	ore Hole Diam	eter .7 7 / 8 i	n. to . 121		., and		in. to .		
2 1	· · · · w	ELL WATER 1	TO BE USED AS		water supply		-	-		
sw	- SE	1 Domestic	3 Feedlot		ld water supply					
;; -	i II	2 Irrigation			and garden only					
			bacteriological sa	mple submitted		YesNo Vater Well Disin				e was su
TYPE OF BLANK CA		itted	5 Wrought iron	9 (Concrete tile					<u></u>
TYPE OF BLANK CA			6 Asbestos-Ce						····	
1 Steel 2 PVC	3 RMP (SR) 4 ABS		7 Fiberglass			•				
Blank casing diameter .			•							
Casing height above lan										
TYPE OF SCREEN OR			, woight		7 PVC		Asbestos-c			40
1 Steel	3 Stainless s		5 Fiberglass		8 RMP (SR)		Other (spe			
2 Brass	4 Galvanized		6 Concrete tile		9 ABS		None used			
SCREEN OR PERFORA			5	Gauzed wrapp	ed	8 Saw cut		11 N	one (open	hole)
1 Continuous slot	3 Mill			Wire wrapped		9 Drilled ho	oles			·
2 Louvered shutter	4 Kov									
SCREEN-PERFORATED) INTERVALS:	From	6.1 ft.	to		rom		ft. to ft. to		
GRAVEL PACI GROUT MATERIAL: Grout Intervals: From	NTERVALS: K INTERVALS: 1 Neat cer 0 ft.	FromFromFrom	61 ft	to 121. to	ft., F ft., F Bentonite ft. to.	romromrom	m	ft. to ft. to ft. to ft. to ft. to		
GRAVEL PACI GRAVEL PACI GROUT MATERIAL: Grout Intervals: From	NTERVALS: K INTERVALS: 1 Neat cer 0 ft.	FromFromFrom	61 ft	to	tt., F. Bentonite ft. to. 10 Live	rom	m	ft. to ft. to ft. to ft. to ft. to	to	
GRAVEL PACE GROUT MATERIAL: Grout Intervals: From What is the nearest sou	NO INTERVALS: K INTERVALS: 1 Neat cer (0 ft. rce of possible co 4 Lateral	FromFromFromentamination:		to	tt., F. Bentonite ft. to. 10 Liv. 11 Fue	rom	m	ft. to ft. to ft. to ft. to ft. to ft. to ft. to 4 Abandor 5 Oil well/6	to ned water v	
GRAVEL PACION GROUT MATERIAL: Grout Intervals: From What is the nearest sou 1 Septic tank	1 Neat cer 1 Neat cer 1 Neat cer 1 Cree of possible co 4 Lateral 5 Cess po	From From From ment to20 ontamination: lines		to121. to		romromrom	m	ft. to ft.	to ned water v	fifi fifi weil
GRAVEL PACION GROUT MATERIAL: Grout Intervals: From What is the nearest sou 1 Septic tank 2 Sewer lines 3 Watertight sewer	1 Neat cer 1 Neat cer 1 Neat cer 1 Cree of possible co 4 Lateral 5 Cess po	From From From ment to20 ontamination: lines		to121. to		rom	m	ft. to ft.	to	fifi fifi weil
GRAVEL PACION GROUT MATERIAL: Grout Intervals: From What is the nearest sou 1 Septic tank 2 Sewer lines 3 Watertight sewer Direction from well?	1 Neat cer 1 Neat cer 1 Neat cer 1 Cree of possible cor 4 Lateral 5 Cess por lines 6 Seepag	From From From ment to20 ontamination: lines	6.1	to121. to		romromromrom	m	ft. to ft.	to	
GRAVEL PACION GROUT MATERIAL: Grout Intervals: From What is the nearest sou 1 Septic tank 2 Sewer lines 3 Watertight sewer Direction from well? FROM TO 0 5	1 Neat cer 1 Neat cer 1 Neat cer 1 Neat cer 1 Ces possible co 4 Lateral 5 Cess por lines 6 Seepag	From	6.1	to121. to		romromromrom	m	ft. to ft.	to	
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GRAVEL PACION GRAVILLA PACION GRAVEL PACION GRAVILLA PACION GRAVEL PACION GRAVILLA PACION GRAVILLA PACION GRAVILLA PACION GRAVILLA PACION GRAV	Note the second of the second	From	6.1	to121. to		romromromrom	m	ft. to ft.	to	
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GRAVEL PACION GROUT MATERIAL: Grout Intervals: From What is the nearest sou 1 Septic tank 2 Sewer lines 3 Watertight sewer Direction from well? FROM TO 0 5 5 18 18 80	Note the second of the second	From	6.1	to121. to		romromromrom	m	ft. to ft.	to	
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GRAVEL PACION GRAVILLA PACION GRAVEL PACION GRAVILLA PACION GRAVEL PACION GRAVILLA PACION GRAVILLA PACION GRAVILLA PACION GRAVILLA PACION GRAV	Note the second of the second	From	6.1	to121. to		romromromrom	m	ft. to ft.	to	
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GRAVEL PACI GRAVEL PACI GROUT MATERIAL: Grout Intervals: From What is the nearest sou 1 Septic tank 2 Sewer lines 3 Watertight sewer Direction from well? FROM TO 0 5 5 18 18 80 80 121	I Neat cer 1 Neat cer 1 Neat cer 1 Neat cer 2 Lateral 5 Cess par Ilines 6 Seepag Top soil Sand and gr Shale Sand rock ser R LANDOWNER'S ear)7/1	From From From Prom Prom Prom Prom Prom Prom Prom P	20 tt. tt. 20 tt. tt. 2 Cement grout tt., From 7 Pit pri 8 Sewag 9 Feedy LOG	to121. toto121. to	Bentonite ft., F Bentonite ft. to. 10 Liv. 11 Fue 12 Fer 13 Ins How n DM TO Donstructed, (2) re and this re	rom	m	ft. to ft. to ft. to ft. to ft. to 4 Abandor 5 Oil well/ 6 Other (s all. Pra G INTERV	jurisdictione and belief	well Field
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Larce and direction from nearest town or city street address of well if located within city? In Ellsworth, Kanesa Switch (Ell Switch) WATER WELL OWNER Terrill Smith S. Sadores So. # 319 Kunkle Drive Stanz, PZ Code : Ellsworth, Kanesa 67439 OCATE WELLS CATON WITHIN COMMENT OF SCHOOL (Comment of the Comment of the Co				WATE	R WELL RECORD	Form WWC-					<i>y</i> -
Listes and direction from nearest lown or only stevel address of well if located within day? In Elisworth, Kansass WATER VELL OWNER: IF STANDERS DOWNER: IF WILL STANDERS DOWNER: IF WILL STANDERS LOCATION WITH DEPTH OF COMMETE LEVEL. IF WILL STANDERS LOCATION WITH DEPTH OF COMMETE WELL 159. IF WILL STANDERS LOCATION WITH DEPTH OF COMMETE LEVEL. IF WILL STANDERS LOCATION WITH DEPTH OF COMMETE WITH LIST DOWNERS DOWNER					CF .	1		1 ;-		l	
AS Actions, Box # 319 Kunkle Drive # Shades, Box # 319 Kunkle								1 1 77	S	I H OW	E/W
WATER WELL OWNER: Terriil 1 Smith #, St. Address. 6x = 3.19 Kunkle D trive \$ state, 2P Dode				or city street a	logress of well if loca	itea within city?					
### Board of Agriculture, Division of Water Resour, State, 2P Code State, 2P Code Ell sport h. Kansas 57439 Application Number				111 C-1-1							
Application Number: OCATE WELLS COATON WITH DEPTH OF COMPLETED WELL AN X' IN SECTION BOX. WELL STATIC WENTER LEVEL . 90. ft. below land surface measured on modalyy' 8/19/95 WELL STATIC WENTER LEVEL . 90. ft. below land surface measured on modalyy' 8/19/95 Est. Yeld: 10. gpm: Well water supply . 9 Develoring . 10. below land surface measured on modalyy' 8/19/95 WELL STATIC WELL STATIC WEIL . 90. ft. below land surface measured on modalyy' 8/19/95 Est. Yeld: 10. gpm: Well water supply . 9 Develoring . 11 injection well to the surface of the basic section of the surface . 12 in, and					•			D - 1-(A		St. d. t	
DOATE WELL'S LOCATION WITH A DEPTH OF COMPLETED WELL 149 . It. ELEVATION . Intercept 190 . It. 2 . It. 3 . It.								J		DIVISION OF Water	r Hesourc
Dephing Groundwater Encountered (90 to be sold surface measured on modaryy 8/19/95 to the sold surface measured on modary 8/19/95 to the sold surface measured on modaryy 8/19/95 to the sold surface measured on modary 8/19/95 to the sold surface m						1/0				II-1	
Pump test data: Well walk was ft. after hours pumping great yeld 10. apm: Well walker was ft. after hours pumping great yeld 10. apm: Well walker was ft. after hours pumping great	LOCATE V AN "X" IN	NELL'S LO	BOX:	epth(s) Ground	water Encountered	£.90	ft. :	2	ft. 3.		ft.
Est. Yrield 1.0 gpm Well water was 1. sher hours pumping gpt gpt so cause well water was 1. sher hours pumping gpt gpt gpt gpt gpt gpt gpt gpt gpt gp	[! !				1 /					
Est Yield J.U. gryn, Well water was to 149 t. after hours pumping gr factor f		NW	- NF 1		•				-		
WELL WATER TO BE USED AS 5 Public water supply 9 A conditioning 11 Injection well 1 Domestic 3 Feeder 1 Domestic 2 Irrigation 4 Industrial 7 Lawn and garden only 10 Monitoring well		'X - 1	, E								
WELL WATER TO BE USED AS 1 S Pounds water supply 9 Aur conditioning 11 Ingention 11 Ingention 11 Ingention 12 Other (Specify below) 2 Imagation 4 Industrial 7 Lawn and garden only 10 Monitoring well was a chemical-bacteriological sample submitted to Department? Yes. No. If yes, mordayly sample was a first of the condition of th	L			Bore Hole Diam	eter7 7 / 8in. 1	to . 149		and	in.	to	.
2 Irrigation	" [1		WELL WATER	TO BE USED AS:	5 Public wat	er supply	8 Air conditioning	11	njection well	
Was a chemical/bacteriological sample submitted to Department? Yes. No	-]	!	1 Domestic	3 Feedlot			-			•
No.		. 241	3E	2 Irrigation	4 Industrial	7 Lawn and	garden only	10 Monitoring well .			
Type OF BLANK CASING USED: 5 Wrought iron 8 Concrete tile CASING JOINTS: Glued Clamped 1 Stoel 3 RMP (SR) 6 Asbestos-Gement 9 Other (specify below) Welded	1	- i		Was a chemical	bacteriological sample	e submitted to D	epartment? Y	es <u>No</u>	; If yes,	mo/day/yr samp	ole was su
Steel 3 RMP (SR)	-	Ş		nitted			Wa	ter Well Disinfected	? Yes	No	
2 PVC	TYPE OF	BLANK C	ASING USED:		5 Wrought iron	8 Conc	ete tile	CASING JOIN	TS: Glued	Clampe	ed
Including Section Se	1 Steel	1	3 RMP (SR))	6 Asbestos-Cemer	nt 9 Other	(specify below	w)	Welde	ed	
Script Spore Indicator 12 in, weight 2.8											
Script Spore Indicator 12 in, weight 2.8	ank casing	diameter		n. to 89	ft., Dia	in. to		ft., Dia	<i>.</i> i	n. to	f
1 Steel 3 Stainless steel 5 Fiberglass 12 None used (open hole)											
1 Steel 3 Stainless steel 5 Fiberglass 8 RMP (SR) 11 Other (specify) 2 First 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole) 3 REEN OR PERFORATION OPENINGS ARE: 5 Gauzed wrapped 9 Drilled holes 1 None (open hole) 1 Continuous stot 3 Mill soft 6 Wire wrapped 9 Drilled holes 1 None (open hole) 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify)					· -						
2 Brass 4 Galvanized steel 6 Concrete tile 9 ABS 12 None used (open hole) PREENTOR PERFORATION OPENINGS ARE: 5 Gauzed wrapped 8 Saw cut 11 None (open hole) 1 Continuous slot 3 Mill slot 6 Wire wrapped 9 Drilled holes 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify) Prom. 1 to 149 the From 10 Other (specify) Prom. 1 to 149 the From 1 to 1 to 1 the From 1 the From 1 the From 1 the From 1 to 1 the From 1					5 Fiberglass	8 RI	MP (SR)	11 Other	(specify)		
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1 Continuous slot 3 Mill slot 6 Wire wrapped 2 Drilled holes 2 Louvered shutter 4 Key punched 7 Torch cut 10 Other (specify)		_					_			•	n hole)
2 Louvered shutter						• •				(- - -	,
REEN-PERFORATED INTERVALS: From. 89. ft. to 149. ft., From. ft. to. From. tt. to. ft., From. ft. to. GRAVEL PACK INTERVALS: From. 20 ft. to 149. ft., From. ft. to. From. ft. to. ft., From. ft. to. GROUT MATERIAL: 1 Neat cement 2 Cement grout 3 Bentonite 4 Other. Out Intervals: From. 0. ft. to. 20 ft., From. ft. to. ft., From. ft. to. The provided of the provid						• •					
From							ft Fro				
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out Intervals: From . 0	GROUT	MATERIAL	1 Neat ce								
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16 70 Shale 70 149 Sand rock streaks CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and w impleted on (mo/day/year) 8/19/96 and this record is true to the best of my knowledge and belief. Kans ater Well Contractor's License No. 186 This Water Well Record was completed on (mo/day/yr) 8/20/96 der the business name of Kelly's Water Well Service, Inc. by (signature)							† †				
CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and w mpleted on (mo/day/year)				graver			t				
CONTRACTOR'S OR LANDOWNER'S CERTIFICATION: This water well was (1) constructed, (2) reconstructed, or (3) plugged under my jurisdiction and w mpleted on (mo/day/year)				atroalea			+				
mpleted on (mo/day/year)	70	147	Sand Lock	Streams			 				
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mpleted on (mo/day/year)	CONTRA	CTOR'S	OR LANDOWNER	S CERTIFICAT	ION: This water well	was (1) constr	ucted, (2) reco	onstructed, or (3) plu	gged und	er my jurisdictio	n and wa
der the business name of Kelly's Water Well Service, Inc. by (signature)	moleted o	n (mo/day	/vear)	8/19/96		· · · · · · · · · · · · · · · · · · ·	and this reco	ord is true to the best	of my kno	wledge and beli	ief. Kansa
der the business name of Kelly's Water Well Service, Inc. by (signature)	later Well (Contractor	's License No		186. This Water	Well Record w	as completed	on (mo/dav/vr)	8/20	/96	
									(())	4	
INSTRUCTIONS: Use typewriter or ball point pen. PLEASE PRESS FIRMLY and PRINT clearly. Please fill in blanks, underline or circle the correct answers. Send top three copies to Kansas Department											

WATER WELL RECORD Form WWC-5 KSA 82a-1212 1 LOCATION OF WATER WELL Section Number Township Number Range Number_ T 15 S County: Ellsworth NW 14 NE 14 SW Distance and direction from nearest town or city? 6E-.1S Street address of well if located within city? 2 WATER WELL OWNER Donald Nienke Well Water to be used as:

5 Public water supply

8 Air conditioning

Domestro 3 Feedlot

6 Oil field water supply

9 Dewatering

2 Irrigation 4 Industrial

7 Lawn and garden only

10 Observation well 11 Injection well 12 Other (Specify below) Pump Test Data Bailed Est. Yield 10 Bpm: Well water was..... ft. after hours pumping..... gpm Well water was ft. after hours pumping Casing Joints: Glued Clamped 4 TYPE OF BLANK CASING USED: 5 Wrought iron 8 Concrete tile 6 Asbestos-Cement 9 Other (specify below) 1 Steel 3 RMP (SP) 2 PVC 4 ABS 7 Fiberglass Threaded. Representation of the state of the 7 PVC 10 Asbestos-cement TYPE OF SCREEN OR PERFORATION MATERIAL: 8 RMP (SR) 5 Fiberglass 1 Steel 3 Stainless steel 9 ABS 12 None used (open hole) 2 Brass 4 Galvanized steel 6 Concrete tile Saw cut 5 Gauzed wrapped 11 None (open hole) Screen or Perforation Openings Are: 6 Wire wrapped 7 Torch cut 3 Mill slot 9 Drilled holes 1 Continuous slot 2 Louvered shutter 4 Key punched

 Screen-Perforation Dia
 5½
 in. to
 56
 ft. Dia
 in. to
 ft. Dia
 in. to From What is the nearest source of possible contamination:

1 Septic tank

2 Sewer lines

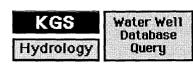
5 Seepage pit

3 Lateral lines

6 Pit privy

9 Livestock pens 10 Fuel storage 14 Abandoned water well 11 Fertilizer storage
12 Insecticide storage
15 Oil well/Gas well
16 Other (specify below) Type of pump: 1 Submersible 2 Turbine 3 Jet 4 Centrifugal 5 Reciprocating This Water Well Record was completed on 6 month 20 day 1931 year under the business by (signature) by (signatur LOCATE WELL'S LOCATION WITH AN "X" IN SECTION Topsoil 26 Clay-compact-Brown 26 36 Gravel-Coarse-Brown 36 53 Gravel-Med. fine-Brown 60 Clay- Compact-Grey ClayCompact -Red ELEVATION: 1600

retain one for your records.



Scan of WWC5 Form



4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			CORD Form WY		a-1212 ID N	9.	
I LOCATION OF W		Fraction		1	tion Number	Township Number	f -
County: Ellswo Distance and direction		NW 16		NV V	28	<u>T 15</u>	S R 8 XEAY
1		-		COSING MONEY CH	y r		
202 31 2 WATER WELL OF	Aine Filst	worth Ks	5/439				
RR#, St. Address, B	NY # 202 !	Alleine Blaine				Board of Acricultu	re, Division of Water Resource
City, State, ZIP Code	i žiis	worth, Ks.	67439			Application Numb	•
3 LOCATE WELL'S	OCATION WITH	4 DEPTH OF	COMPLETED WELL	51,	ft. ELEVA	TON:	
AN "X" IN SECTION	ON BOX:	Depth(s) Groun	rdwrater Encountered	1		h	.ft. 3
X IX	1	WELL'S STATI	C WATER LEVEL 3	SQ ft. belov	w land surface	measured on molday/y	8-15-02
							ours pumping
NW	NE	Est. Yield	NAgom: Well v	vater was	π	ler,	rurs pumping
å w i	E		neler				11 Injection well
3 W	1 ~	1 Domestic		6 Oil field water		Aa concascing Dewatering	12 Other (Specify below)
sw	se	2 Irrigation	4 Industrial				
1							es, mo/day/yrs sample was sut
*	·	Was a chemical mitted	/becteriological sample	a submitted to Dep	antrent? Yes. Water	NO. A ili y Well Disinfected? Yes	es, maraayyyrs sample was sur hth Mo
5 TYPE OF BLANK	CASING USED:		5 Wrought iron	8 Concre	no til o	CASING JOINTS:	Glued. , X , , Clamped, , , , , ,
1 Steel	3 RMP (S	R)	6 Asbestos-Cemer		(specify below		Welded
2 PVC	4 ABS		7 Fiberglass	1221228	*********		Threaded
Blank casing diame	ter⊃	in. to41.)in.	. to	, . , ft., Çia	
			•	Φ	, , , , , , , lbs./i		ige No
TYPE OF SCREEN				7 PVC	<u>?</u> P (SR)	10 Asbestos	-cement ecity)
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SCREEN OR PER			5 G	9 ABS auzed wrapped	='	8 Saw cut	11 None (open hole)
1 Continuous si	ME M	fill slot	6 W	ire wrapped		9 Dailed holes	,, ,
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		From	ft. 10)	ft., From ft., From		_ft_ bb;
6 GROUT MATER	AL: 1 Meat o	From	2 Cement grout	3 Benton	ile 40	nherhate.plug	***************************************
6 GROUT MATERI Grout Intervals: F	AL: 1 Meat o	From	2 Cement grout	3 Benton	ile 40	nherhate.plug	. R. 10
6 GROUT MATERI Grout Intervals: F What is the neares	AL: 1 Meat of form. , 20	From	2 Cement grout	3 Benton	ile 40	nher hote. plug th., From	.,,ft. toft. 14 Abandonod water well
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Kansas Geological Survey Comments to webadmin@kgs.ku.edu URL=http://www.kgs.ku.edu/Magellan/WaterWell/index.html Display Programs Updated July 2, 2014 Data added continuously.



9-8

	WELL R		rm WWC-5			ivision of Wa				
	Record [Change in Well Us	se		esources App.		T	Well ID	NII
	TION OF W : Ellsworth	ATER WELL:	Fraction NW 1/4 NW	/ ½ NW ½		ection Num 28	oer	Township Numb		ge Number □ E 🗷 W
		ast Name: Blackbu					s whe	ere well is located		
Business:					direction fro	m nearest town	or inte	rsection): If at owner	r's address, o	check here: 🔽
Address: Address:	701 East 1	st Street								
City:	Elisworth	States	KS ZIP: 674	.39						
3 LOCAT		4 DEPTH OF	COMPLETED	WEII.	63	ft 5 Lat		38.72554	14	(1
WITH "		Denth(s) Ground	water Encountered	1 1) 3	9.9 ВО _П	I. 5 Lat	ituae.	le: 98.2241	:::	(decimal degrees)
SECTIO N		2)	ft. 3)	ft., or 4)[☐ Dry Well			WGS 84 □ NAI		
1		WELL'S STATION	C WATER LEVE	լ։3!	0 ft.	Sou	rce for	Latitude/Longitude	:	
1	1		urface, measured o					unit make/model:		
NW	NE		urface, measured o Well water was			i i		WAAS enabled?		0)
w	E		. hours pumping.					Survey Topogra e Mapper:		
		1	Well water was				Omm	с імаррет		,
SW	SE	after	. hours pumping .		gpm	6 Flor	vation	ı: 1540ft.	C Cround	Laval T TOC
		Estimated Yield:	40gpm	63	0 1			Land Survey		
 1 n	S nile	Bore Hole Diame	eter: 10 in. t	o	ft. and	<u> 50u</u>	<u></u> . Z	Other KOLAR		pograpine wap
		D BE USED AS:			11.					
1. Domestic:			lic Water Supply:	well ID		10. 🗆	Oil Fi	eld Water Supply: le	ease	
✓ Housel			vatering: how mar					: well ID		
☐ Lawn &			ifer Recharge: we					☐ Uncased ☐ 0		
Livesto			nitoring: well ID .					al: how many bores		
2. □ Irrigati 3. □ Feedlo			nmental Remediati Sparge S	ion: Well II Soil Vapor				l Loop Horizont Loop Surface Di		
4. Industr		☐ Rec		njection	LAHaction			(specify):		
		riological sample			Ves [7] No			mple was submitte		
		Yes No	submitted to ix	DILE:	103 2111) 11 yes, ac	ic sa	inpie was sabilitie	u	
8 TYPE O	E CASING	USED: ☐ Steel	☑ PVC ☐ Other		CAS	SING JOINT	S: D	Glued Clamped	. □ Welded	☐ Threaded
Casing diam	eter 6	in. to 63	ft., Diameter		in. to	ft., Dia	ameter	in. to	ft.	
Casing heigh	nt above land	surface12	in. Weigh	t	lbs./f	t. Wall thi	icknes	or gauge No. SCH	140	
		R PERFORATION								
☐ Steel			Fiberglass	Z PVC	1/ 1		ther (Specify)		
Brass		vanized Steel ATION OPENIN	Concrete tile		ısed (open h	oie)				
1	DR PERFOR	Mill Slot	GS ARE: ☐ Gauze Wrappe	ed □ To	arch Cut	Drilled Hole	· П	Other (Specify)		
☐ Louve	red Shutter	☐ Key Punched	☐ Wire Wrapped	d □ Sa	ıw Cut 🗀	None (Open	Hole)			
SCREEN-F	PERFORAT	ED INTERVALS:	From .40 1	t. to .63	ft., Fron	1 ft.	to	ft., From	ft. to	ft.
G	RAVEL PA	CK INTERVALS	: From 20 1	ft. to63	ft., Fror	n ft.	to	ft., From	ft. to	ft.
9 GROUT	MATERIA	AL: Neat ceme	nt 🔲 Cement gr	out 🛭 Be	entonite [Other				
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Nearest sou	•	le contamination:	allines 🗇	Pit Privy	!	Livestock 1	Pens	□ Insectio	cide Storage	
☐ Septic		☐ Cess		Sewage La		☐ Fuel Storag			oned Water V	Well
☐ Watert	ight Sewer Li			Feedyard		☐ Fertilizer S		e 🔲 Oil We	ll/Gas Well	
Other (Specify) .Ho	use			50			2		
Direction from			OLOGIC LOG	nce from w	FROM			ft. THO. LOG (cont.) or		INTERVALE
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7		Grav Shale					1			
30		Sandstone								
60		Grav Shale								
					Notes:					
					_					
			VEDIC CETT	10.7	N. T.	11	- - K			
11 CONT	RACTOR'S	S OR LANDOW!	NER'S CERTIF	TCATION	N: This wa	ter well was	√ Co	onstructed, \square recouse to the best of m	instructed, o	or plugged
Kansas Wa	urisdiction a iter Well Co	nu was completed	on (mo-gay-yea No 760	۲) .۲۲۰.۱ <i>۱۱۴</i> This W	ater Well R	ecord was o	a is in omnle	eted on (mo-day-ye	y knowledg ear) 10/10	2012
under the h	usiness nam	e of Associated	Drilling, Inc.				.			
		Send one copy to WA	TER WELL OWNE	R and retain	one for your i	ecords. Fee of	\$5.00	for each constructed we	ell.	
				y Section, 10	000 SW Jacks	on St., Suite 42	0, Top	eka, Kansas 66612-136		
Visit us at h	http://www.kdh	eks.gov/waterwell/inde	x.html						KS	A 82a-1212

WATER WELL RECORD	Form WWC-5		Division of Wate	r Resources; App. No. L	
1 LOCATION OF WATER WELL: County: Ellsworth	Fraction NW 1/4 NW 1/4 SE		ction Number 30	Township Number T 15 S	Range Number R 8w E/W
Distance and direction from nearest tow			bal Positioning	Systems (decimal degr	ees, min. of 4 digits)
located within city? 1/2W of Ellsworth, KS	•	La	titude:		
2 WATER WELL OWNER: David	Bircher	Ele	evation:		
RR#, St. Address, Box # : 1246	14th Road	Da	atum:		
City, State, ZIP Code : Ellswe	orth, KS 67439		ata Collection	Method:	
3 LOCATE WELL'S 4 DEPTH OF	COMPLETED WELL1	00	ft.		
LOCATION					
WITH AN "X" IN Depth(s) Ground	iwater Encountered (1) IC WATER LEVEL 105	105	ft. (2)	ft. (3)	ft.
SECTION BOX: WELL'S STAT	IC WATER LEVEL 105	ft. bel	ow land surface	measured on mo/day/	yr. 05/19/06.
N Pump te	est data: Well water was	ft	t. after	hours pumping	gpm
Est. Yield	gpm: Well water was	ft.	after	hours pumping	gpm
WELL WATER	TO BE USED AS: 5 Public	water supp	ply 8 Air	conditioning 11 Inje	ection well
W E L Domestic	3 Feedlot 6 Oil field v	water supply	y 9 Dev	vatering 12 Oth	ier (Specify below)
X 2 Irrigation	4 Industrial 7 Domestic	(lawn & ga	arden) 10 Mor	intoring well	•••••
swse	g			Ma	If was malday/surs
Was a chemical	/bacteriological sample submi	med to Dep	oartment? Yes.	Vog No	ii yes, mo/day/yis
	mitted	water w	en disinfected Z	<u>Yes</u> No	•••
S					
	ought Iron 8 Concre	ete tile	CASIN	G JOINTS: Glued	Clamped
	bestos-Cement 9 Other	(specify bel	low)	Welded	
<u>2 PVC</u> 4 ABS 7 Fib	erglass			Threaded	
Blank casing diameter	98 ft., Diameter	in. to	o ft.,	Diameter	in. to
Casing height above land surface12	in., Weight4.Q	lbs.	./ft. Wall thi	ckness or guage No.	1511
TYPE OF SCREEN OR PERFORATION	MAIERIAL:	OADC	3	11 Other (Specify) .	
1 Steel 3 Stainless Steel 2 Brass 4 Galvanized Steal	6 Concrete tile 8 RM (SR)				
SCREEN OR PERFORATION OPENING		10 AS0	estos-cement	12 None used (open	noicj
1 Continuous slot 3 Mill slot		rch cut	9 Drilled holes	11 None (open ho	ole)
2 Louvered shutter 4 Key punched	6 Wire wrapped 8 Sa	w Cut 1		y)	
SCREEN-PERFORATED INTERVALS:	From	138	ft., From	ft. to	ft.
GRAVEL PACK INTERVALS:	From ft. to	w.w.a	ft., From	ft. to	ft.
GRAVEL PACK INTERVALS:	From	138	ft., From	ft. to	ft.
	From ft. to		ft., From	ft. to	ft.
			0.1		
6 GROUT MATERIAL: 1 Neat cemer	nt 2 Cement grout 3 Ben	tonite 40	Other		ft to ft
	to20 ft., From	II. 1	to 1	i., From	11. 1011.
What is the nearest source of possible cont 1 Septic tank 4 Lateral) Livestock	nans 13 Inc	secticide Storage	16 Other (specify
2 Sewer lines 5 Cess po	1 3	Fuel stora		oandoned water well	below)
	e nit 9 Feedvard 12	Fertilizer S	Storage 15 Of	ll well/gas well	.house
Direction from well? Southwest	H	ow many fe	~ 120		
	LOGIC LOG	FROM	TO	PLUGGING INTE	ERVALS
0 1 top soil					
1 5 clay					
5 17 sand rock					
17 95 shale					
95 138 shale with sand	rock streaks				
7 CONTRACTOR'S OR LANDOWNE	R'S CERTIFICATION: Th	is water we	ell was (1) constr	ructed, (2) reconstructe	ed, or (3) plugged
under my jurisdiction and was completed of	on (mo/day/year) .05/19/06	and thi	is record is true	to the best of my know	ledge and belief.
Kansas Water Well Contractor's License N	No 180 This Water V	Well Record	d was completed	lon (mo/day/year) 🚉	7,437,00,
under the business name of Kelly's W	ater Well Service, I	nc. by (signature)	them XI	Hori of
INSTRUCTIONS: Use typewriter or ball point per	n. <u>PLEASE PRESS FIRMLY</u> and <u>PI</u>	RINT clearly.	Please fill in blank	s, underline or circle the co	rrect answers. Send top
three copies to Kansas Department of Health and En 785-296-5522. Send one to WATER WELI	vironment, Bureau of Water, Geolog _ OWNER and retain one for	y Section, 100 vour record	ds. Fee of \$5	Suite 420, 10peka, Kansas (well. Visit us at
http://www.kdhe.state.ks.us/geo/waterwells.	2 Late and recall one for	,			

	WA	ATER WELL RECORD F	orm WWC-5	NON UEU IE	<u> </u>		(b)-10
LOCATION OF WATER WI	ELL Fraction	MM	Section	Number	Township Nu	mber	Range Number
ounty: Ellsworth	X NW	WAYE 14 NE	1/4 ##32	2	T 15	s	Rg EAW
istance and direction from n	earest town or cityHy Kansas		Street address				
WATER WELL OWNERT	lus Industrie	es Inc.				<u>-</u>	
R#, St. Address, Box # :]					Board of A	griculture, Divisi	on of Water Resour
ity, State, ZIP Code					Application		
DEPTH OF COMPLETED	WELL88fr	t. Bore Hole Diameter	9 in. to .	1.5	. ft., and	7 in.	to 88
Vell Water to be used as:	5 Public water		8 Air conditioni	-		ection well	00
1 Domestic 3 Feedlot	6 Oil field wa	ater supply	9 Dewatering		12 Ot	her (Specify be	ow)
2 Irrigation 4 Industria	d 7 Lawn and	garden only	10 Observation	well			
Vell's static water level . 39	9 ft. below l	land surface measured on .		month	6	day .	1977ye
rump Test Data Bailed		s XX ft. after . s ft. after					gr gr
TYPE OF BLANK CASING	G USED:	5 Wrought iron	8 Concrete ti	ile	Casing Jo	oints: Glued	Clamped
1 Steel	3 RMP (SR)	6 Asbestos-Cement					
2 PVC	4 ABS	7 Fiberglass				Threaded.	
Blank casing dia5½	in. to . 60	ft., Dia	in. to		ft., Dia	in.	to
		in., weight					
YPE OF SCREEN OR PER			7 PVC			estos-cement	
1 Steel	3 Stainless steel	5 Fiberglass	8 RMP (5	SR)	11 Othe	er (specify)	
2 Brass	4 Galvanized steel	6 Concrete tile	9 ABS		12 None	e used (open h	ole)
Screen or Perforation Openin	ngs Are:	5 Gauzeo	d wrapped	8	Saw cut	11	None (open hole)
1 Continuous slot	3 Mill slot	6 Wire w	rapped	9	Drilled holes		
2 Louvered shutter	4 Key punched	7 Torch o					
creen-Perforation Dia 5	1 2 in. to 88	} ft., Dia	in. to .		ft., Dia	it	1 to
creen-Perforated Intervals:	From 60	ft. to . 88	ft.,	From		ft. to	
	From	ft to	£4	From		ft. to	
	1 10111			1 101/1			
Gravel Pack Intervals:	From 50		ft.,	From		ft. to	
Gravel Pack Intervals:	From 50	ft. to . 88	ft.,	From		ft. to	
GROUT MATERIAL:	From . 50 From	ft. to . 88		From From 4 Oth	ner	ft. to	
GROUT MATERIAL:	From . 50 From	ft. to . 88 ft. to		From From 4 Oth	ner	ft. to	
Gravel Pack Intervals: GROUT MATERIAL: Grouted Intervals: From What is the nearest source of	From . 50	ft. to . 88		From	ner	ft. to ft. to	ft. tooned water well
GROUT MATERIAL: Grouted Intervals: From	From . 50	ft. to . 88		From	er	ft. to	ft. tooned water well
GROUT MATERIAL: Grouted Intervals: From What is the nearest source of	From . 50	ft. to . 88	3 Bentonite ft. to	From 4 Oth 10 Fuel stor 11 Fertilizer 12 Insectició	er	ft. to	ft. tooned water well
GROUT MATERIAL: Grouted Intervals: From What is the nearest source of 1 Septic tank 2 Sewer lines 3 Lateral lines	From. 50	ft. to . 88	3 Bentonite ft. to	From 4 Oth 10 Fuel stor 11 Fertilizer 12 Insecticio 13 Watertigl	erft., Fromage storage de storage nt sewer lines	14 Aband 15 Oil we 16 Other	ft. to oned water well Il/Gas well (specify below) Gas Pipel
GROUT MATERIAL: Grouted Intervals: From. What is the nearest source of 1 Septic tank 2 Sewer lines 3 Lateral lines Direction from well.	From. 50	ft. to . 88	3 Bentonite tt. tt. tt. tt. toon	From 4 Oth 10 Fuel stor 11 Fertilizer 12 Insecticit 13 Watertigl Water We	ft., From age storage de storage nt sewer lines all Disinfected?	14 Aband 15 Oil we 16 Other Natural	ft. to oned water well ll/Gas well (specify below) Gas Pipel No
GROUT MATERIAL: Grouted Intervals: From What is the nearest source of 1 Septic tank 2 Sewer lines 3 Lateral lines Direction from well E Was a chemical/bacteriologic	From. 50	ft. to . 88	3 Bentonite ft. to	From 4 Oth 10 Fuel stor 11 Fertilizer 12 Insecticio 13 Watertigl Water We No X	er	ft. to ft. to 14 Aband 15 Oil we 16 Other Natural	ft. to oned water well ll/Gas well (specify below) Gas Pipel .No .: If yes, date same
GROUT MATERIAL: Grouted Intervals: From What is the nearest source of 1 Septic tank 2 Sewer lines 3 Lateral lines Direction from well E Was a chemical/bacteriologic was submitted	From. 50. From 1 Neat cement 5	ft. to . 88	3 Bentonite ft. to on s year: Pum	From 4 Oth 10 Fuel stor 11 Fertilizer 12 Insecticio 13 Watertigl Water We No X p Installed?	age storage de storage nt sewer lines ll Disinfected?	14 Aband 15 Oil we 16 Other Natural Yes X	ft to oned water well ll/Gas well (specify below) Gas Pipel No .: If yes, date same
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GROUT MATERIAL: Grouted Intervals: From What is the nearest source of 1 Septic tank 2 Sewer lines 3 Lateral lines Direction from well E. Was a chemical/bacteriologic was submitted If Yes: Pump Manufacturer's Depth of Pump Intake Type of pump: CONTRACTOR'S OR LAI	From. 50. From 1 Neat cement 5 ft. to 15 of possible contamination 4 Cess pool 5 Seepage pit 6 Pit privy ft. to ft. to ft. to ft. to ft. to ft. to ft. ft. to ft. ft. ft. ft. ft. ft. ft. ft. ft.	ft. to . 88	3 Bentonite 1 ft., 3 Bentonite 1 ft. to 1 ft. to 2 ft. to 2 ft. to 3 Bentonite 2 ft. to 4 ft., 4 ft., 5 ft., 6 ft.	From	ter	ft. to ft. to 14 Aband 15 Oil we 16 Other Natural YesX	ft. to oned water well ll/Gas well (specify below) Gas Pipel No If yes, date same Volts gal./n 6 Other
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GROUT MATERIAL: Grouted Intervals: From What is the nearest source of 1 Septic tank 2 Sewer lines 3 Lateral lines Direction from well E Was a chemical/bacteriologic was submitted If Yes: Pump Manufacturer's Depth of Pump Intake Type of pump: CONTRACTOR'S OR LAI completed on 7	From. 50. From 1 Neat cement 5	ft. to 88	s ft., ft., ft., ft., ft., ft., ft., ft.,	From	ter	ft. to ft. to 14 Aband 15 Oil we 16 Other Natural YesX	ft. to oned water well ll/Gas well (specify below) Gas Pipel No If yes, date same Volts gal./n 6 Other ny jurisdiction and w
GROUT MATERIAL: Grouted Intervals: From	From. 50. From 1 Neat cement 5	ft. to 88	s ft., ft., ft., ft., ft., ft., ft., ft.,	From	ter	ft. to ft. to 14 Aband 15 Oil we 16 Other Natural YesX	ft. to oned water well ll/Gas well (specify below) Gas Pipel No If yes, date same Volts gal./n 6 Other ny jurisdiction and w
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1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700 900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

September 1, 2015

CITY OF ELLSWORTH PO BOX 163 ELLSWORTH KS 67439

Re:

Pending Application, File No. 49,424

Dear Sir or Madam:

The Division of Water Resources returned the above referenced application to you for additional information on July 28, 2015, and the current deadline for your response is September 28, 2015. The purpose of this letter is to provide a reminder that in order for you to retain your priority of filing, the original application and requested information needs to be returned to this office on or before **September 28, 2015**, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

If an extension of time is necessary to supply the requested information, please request the extension of time in writing before <u>September 28, 2015</u>. Provide information as to why the additional time is needed and how much additional time is requested. Please note that since there are instances when the Chief Engineer may deny your request for an extension of time, there is no guarantee that future requests for more time will be granted.

If you have any questions, please contact me at (785) 564-6627 or by email at kristen.baum@kda.ks.gov. If you wish to discuss a specific file, please have the file number ready so that I may help you more efficiently.

Sincerely,

Kristen A. Baum

Environmental Scientist

Water Appropriation Program

isteraBaum



1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700

900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Jackie McClaskey, Secretary

Governor Sam Brownback

July 28, 2015

CITY OF ELLSWORTH **PO BOX 163** ELLSWORTH KS 67439

Pending Application, File No. 49,424 Re:

Dear Sir or Madam:

After a preliminary review of your above referenced application for permit to appropriate water received in this office on July 10, 2015, it is being returned to you for additional information. In your original application, you requested a 60-day period of time in which to determine the precise location for your point of diversion within a specified guarter section tract of land described as the Northeast Quarter (NE1/4) of Section 29, in Township 15 South, Range 8 West, Ellsworth County, Kansas. Your 60-day period will start as of the date of this letter.

Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as the location for each of the individual wells comprising the battery of wells.

The locations of all other water wells of every kind within one-half mile ($\frac{1}{2}$) of the point of diversion must be plotted on the topographical map as well. Each well should be identified as to its use (e.g. domestic, irrigation, industrial, etc.) and must include the name and mailing address of the well owner. A signed statement should be included on the map declaring that all wells within one-half mile ($\frac{1}{2}$) of the point of diversion have been plotted, or it should declare that none exist. Please provide this information once you have established your point of diversion.

Paragraph No. 13 of the application requests well information so the source of supply of the proposed well may be determined. Pursuant to K.A.R. 5-3-4d, this office requires a stratigraphic log of a well or test hole within 300 feet of the proposed point of diversion. Please supply the indicated information and a test hole log or a driller's log with the returned application. Also, the enclosed "Minimum Desirable Streamflow" form must be signed and notarized, and the enclosed "Municipal Application Supplemental Information Sheet" form must be completed. These forms should be returned with your application as well.

In order to retain its priority of filing, the original application and attachments must be returned to this office with the requested information on or before September 28, 2015, or within any authorized extension of time thereof. According to law, default in refiling of the completed application and attachments within the time allowed shall constitute forfeiture of priority date and dismissal of the application.

(over)

City of Ellsworth July 28, 2015 Page 2 of 2

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Sincerely,

Kristen A. Baum

Environmental Scientist

Water Appropriation Program

enclosures



1320 Research Park Drive Manhattan, Kansas 66502 (785) 564-6700

Jackie McClaskey, Secretary

900 SW Jackson, Room 456 Topeka, Kansas 66612 (785) 296-3556

Governor Sam Brownback

July 28, 2015

CITY OF ELLSWORTH PO BOX 163 ELLSWORTH KS 67439

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Pending Application, File No. 49,424

Dear Sir or Madam:

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Once you've determined the precise location for your point of diversion, complete the rest of Paragraph No. 5 of your application by providing the description for the 10-acre tract location of the point of diversion as well as the feet distances North and West of the Southeast corner of the Section. The location of the point of diversion must also be plotted on the topographical map included. In the case of a battery of wells, please provide the description of the location of the proposed geographic center of the well battery, as well as **the location for each of the individual wells comprising the battery of wells**.

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(over)

City of Ellsworth July 28, 2015 Page 2 of 2

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Sincerely,

Kristen A. Baum

Environmental Scientist

Water Appropriation Program

enclosures

1320 Research Park Drive Manhattan, Kansas 66502



Phone: (785) 564-6700 Fax: (785) 564-6777 Email: ksag@kda.ks.gov www.agriculture.ks.gov

Jackie McClaskey, Secretary

Sam Brownback, Governor

July 13, 2015

CITY OF ELLSWORTH PO BOX 163 ELLSWORTH KS 67439

RE: Application File No. 49424

Dear Sir or Madam:

Your application for permit to appropriate water in 29-15S-8W in Ellsworth County, was received and has been assigned the file number noted above.

As a matter of record, the Division of Water Resources has on hand a large number of applications awaiting processing. Therefore to be fair to all concerned, and so that we can process those applications on hand in the order they were received, we intend to concentrate on the backlog of applications until the issue is resolved. Once review of your application has begun, we will contact you, if additional information is required.

In accordance with the provisions of the Kansas Water Appropriation Act, a portion of which is included below, the use of water as proposed prior to approval of the application is unlawful. Once approved, compliance with the terms, conditions and limitations of the permit is necessary. Conservation of the water resources of Kansas is required.

Section 82a-728 of the Kansas Water Appropriation Act, provides (a) except for the appropriation of water for the purpose of domestic use, . . . it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of the Water Appropriation Act or for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use.

(b) (1) The violation of any provision of this section by any person is a class C misdemeanor . . .

A class C misdemeanor is punishable by a fine not to exceed \$500 and/or a term of confinement not to exceed one month in the county jail. Each day that the violation occurs constitutes a separate offense.

If you have any questions, please contact me at (785) 564-6643. If you wish to discuss a specific file, please have the file number ready so that we may help you more efficiently.

Sincerely,

Brent Turney, L.G.

Change Application Unit Supervisor

Water Appropriation Program

SCANNED

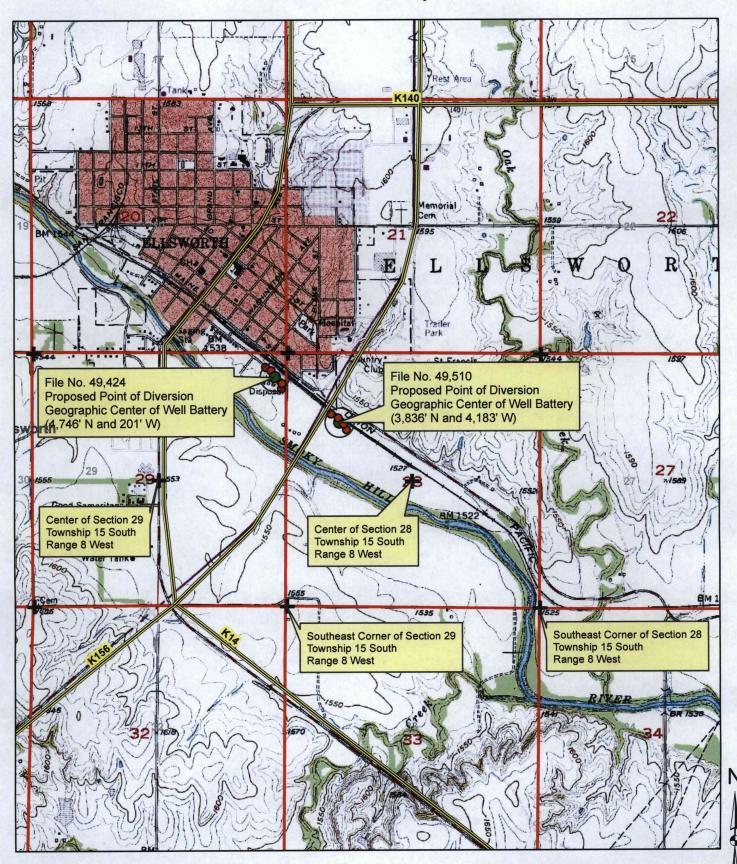
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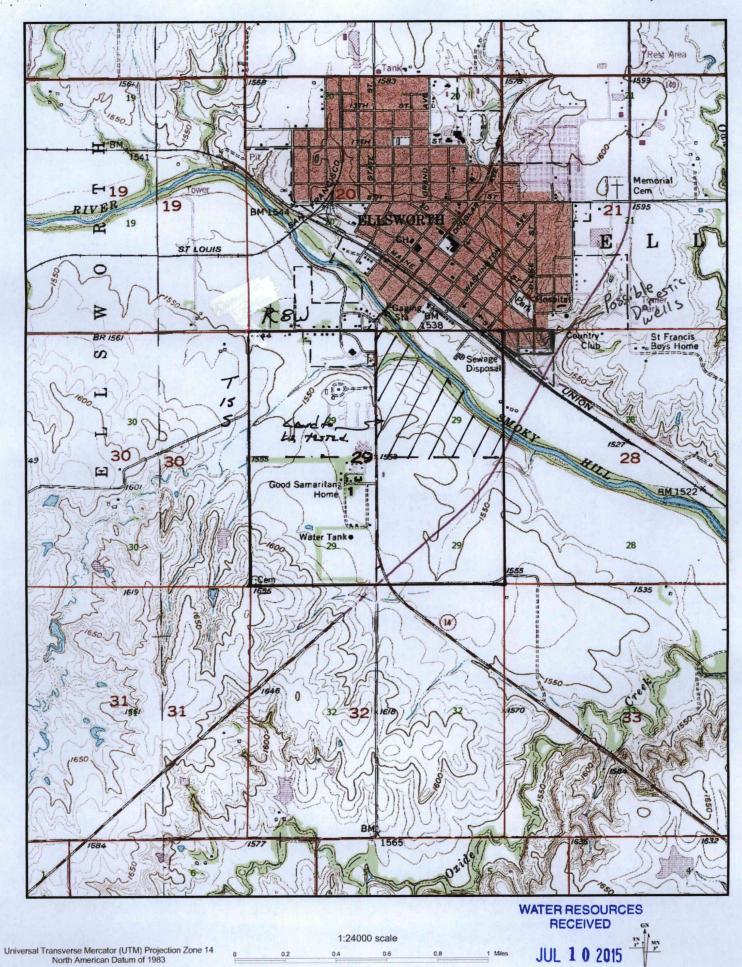
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CITY OF ELLSWORTH - FILE NOS. 49,424 & 49,510 Sections 28 and 29, Township 15 South, Range 8 West Ellsworth County



Proposed Point of Diversion

Proposed Place of Use is City of Ellsworth & Immediate Vicinity



KS DEPT OF AGRICULTURE